

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

**SUBJECT: ROBERT F. KENNEDY
ASSASSINATION**

LA FILE NUMBER: 56-156

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FEDERAL BUREAU OF INVESTIGATION

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wednesday,
January 22, 1969
After 10 a.m.

WEEKLY SUMMARY #33

Re: the assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 33rd summary, and others will be for release on subsequent Wednesdays.

FRIDAY, JANUARY 10 -- A Los Angeles newspaper (Times) today claimed that "Attorney Grant B. Cooper, faced with the threat of contempt proceedings in federal court, sought advice from another attorney on whether he should withdraw from the defense of Sirhan Bishara Sirhan."

Sirhan is accused of assassinating Sen. Robert F. Kennedy.

The source of the article was someone "close to Cooper."

Continued the writer, Dave Smith, "That lawyer, the Times also learned, considered for 24 hours before advising Cooper to remain on the three-man defense team for the 24-year old Jordanian."

Meanwhile, another Los Angeles newspaper (Herald-Examiner) said today that "scale models of the scene of the June 5, 1968 slaying of Sen. Robert F. Kennedy may be used as evidence" during Sirhan's trial.

The models, added the newspaper, "were previewed today by Los Angeles Police Detective Chief Robert Houghton," who headed a special task force set up to investigate the slaying. He related the information at a press conference.

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56-156-21-1

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 24 1969	
FBI - LOS ANGELES	

Houghton "said he did not know whether the prosecution would place the models in evidence, but there was every indication they would be," the newspaper stated.

One model, built to eight-inch scale, provides an overall view of the Embassy Room of the Ambassador Hotel, where Kennedy made his victory speech shortly before he was shot in the nearby kitchen.

The second model is a one-inch scale mockup of the kitchen.

Both models, the newspaper continued, "were originally constructed for the use of the Kennedy task force in placing witnesses to the slaying in exact position."

SUNDAY, JANUARY 12 -- A journalist on the staff of Sirhan B. Sirhan's defense counsel, today revealed information about the accused assassin in an article by William J. Drummond, staff writer for a Los Angeles newspaper (Times).

Robert Blair Kaiser, a former Time magazine staff writer, said Sirhan told him, according to Drummond, "It's all violence, chaos, unrest. Whatever happened to the old saying, 'peace and quiet?'"

Kaiser's article is slated for the January 17 issue of Life.

Since August 14, Kaiser revealed he had talked to Sirhan at least a dozen times and had also spoken to Sirhan's mother, Mrs. Mary Sirhan.

Kaiser said Sirhan talked "about different subjects--his background, family, acculturation in America, his friends, his foes. He is intellectually inclined, expansive, articulate, well-read but untrained."

The Life magazine article Kaiser added "would not include matters having a bearing on the issues in the trial..." Drummond reported.

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The newspaper writer continued that Lynn D. Compton, chief deputy district attorney and head of the prosecution team, "said Kaiser, as an agent of the defense counsel, was included in the coverage of a court order banning comment by parties in the case on the issues in the trial.

"However, Compton said the significance of the Kaiser material could not be known until the article is actually seen," concluded the newspaper.

Kaiser also told the newspaper that his article would not include matters having a bearing on the issues in the trial for the murder of Sen. Kennedy. "I won't try the case in the public prints."

Of Mrs. Sirhan, Kaiser wrote that she keeps magazines detailing the assassination of the Senator on a table.

"She picks up the magazines now and then and talks to the face of Robert Kennedy as drawn" by a Time artist.

"Kennedy, moreover, talks to her. 'It's okay, Mary,' she says he says. I forgive you. It's okay."

Kaiser continued, "Obviously, this is a very traumatic experience for a woman who has gone through a lot of traumatic episodes."

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MONDAY, JANUARY 13 -- "The Sirhan murder trial is an extraordinary case. And, consequently, the selection of its jury also will be extraordinary -- not only as to the security which must be maintained over the jury, but also as to the very manner in which jurors are chosen," according to John Douglas, staff writer for a Los Angeles newspaper (Herald-Examiner).

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Prospective jurors, he continues, were chosen by the County Registrar of Juror's computer at the request of the Superior Court Jury Commissioner.

The computer used the 'key number of five.' This means that every fifth person listed on the registrar's voter list in every fifth precinct was tapped as a prospect."

Twelve jurors at a time will take their place in the Hall of Justice courtroom to answer questions by the defense and prosecution "as to their fitness to serve. They will answer some, but not all, the questions put to them from the box, and in public.

"The rest of the questioning will be done in secret, in the chambers of Superior Judge Herbert V. Walker, who presides at the trial.

"Judge Walker wants the private session to ascertain from each prospective juror what publicity he has seen and heard on the case, and what influence the opinions of friends, relatives and neighbors may hold over him.

"When the 12 jurors and six alternates are finally selected and sworn, they will be 'sequestered' -- locked up for the balance of the trial -- perhaps as long as three months. "

"On weekends they may be visited by their 'spouses of record.' Overnight visits are provided for in a precedent-breaking order by Judge Walker."

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MONDAY, JANUARY 13 -- Out of eight prospective jurors in the Sirhan B. Sirhan case, only one, Mrs. Rosa Molina, a widow and nurse, was passed provisionally today by the defense and prosecution.

Four were quickly dismissed, two were asked to check with their employers whether they could retain their jobs over a prolonged trial, and the eighth will be questioned further on Tuesday, January 14.

"Any lingering doubts the prosecution will seek the" death penalty in the case of the man accused of the murder of Senator Robert F. Kennedy vanished," reported John Douglas, staff writer for a Los Angeles newspaper (Herald-Examiner).

He noted that "Dep. Dist. Atty. David H. Fitts bluntly told a prospective juror the state would not only ask the penalty, but 'urge it.'"

Meanwhile, another Los Angeles newspaper (Times) reported that Grant B. Cooper, one of Sirhan's three attorneys told prospective jurors:

"At the outset you should know that there will be no denial of the fact that our client fired a shot or shots that killed Senator Kennedy."

This was the first time the senator's name had been mentioned in open court since the trial began January 7.

Cooper, continued the newspaper's staff writer, Dave Smith, "said admissibility of a prospective juror depended, in part, upon the juror's ability to separate knowledge of the 24-year old Jordanian defendant's act in shooting Kennedy from a consideration of intent.

"Both the act and the intent must be established, Cooper said, before the jury may return a verdict of first-degree murder. Such a verdict requires a penalty of death in the gas chamber or life imprisonment."

Mrs. Molina, the first accepted juror, was questioned in open court and was then taken into Superior Judge Herbert V. Walker's chambers for part of the questioning "that the defense and prosecution have agreed should not take place in open court," reported the Los Angeles Times.

The questions, explained the newspaper, "reportedly involve the influence wide publicity has exerted on the juror's opinion.

"All parties to the closed sessions -- attorneys for both sides, the prospective juror and the defendant -- have been ordered not to reveal these discussions," continued the newspaper article.

The first business of the court today was quick disposal of a defense motion to set aside the trial jury list. The defense contended that the list does not represent a fair cross section of the population.

However, after studying a four-volume, 1,010 page transcript of another case, the defense was unable to find relevant points in that case to support their original motion.

Judge Walker denied the motion, and jury selection began.

Other activity today included a press conference, hosted by Sheriff Peter J. Pitchess, and conducted by William Morris, sheriff of Shelby County, Tenn., who has the responsibility for the security of James Earl Ray, the accused assassin of Rev. Martin Luther King.

Morris said, according to a Los Angeles newspaper (Herald-Examiner) that Sirhan "seems far-less aware of the grim nature of the murder charge against him than does" Ray.

As for security arrangements in the Los Angeles Hall of Justice, where Sirhan is incarcerated and where the trial is taking place, Sheriff Morris termed them excellent."

TUESDAY, JANUARY 14 -- Three more women jurors were provisionally accepted to day in the case of Sirhan B. Sirhan, the accused assassin of Sen. Robert F. Kennedy, bringing the total to four.

Joining Mrs. Rose Molina, a nurse, as potential jurors are Miss Carolyn L. Freeman, a clerk for Pacific Telephone; Mrs. Alicia Duke, an accountant for the State Lands Division; and Mrs. Barbara L. Collins, a service representative for Pacific Telephone.

"Three of the most important areas of questioning involve the effect of the pretrial publicity on the jurors' opinions on the case, the jurors views on the death penalty and their attitudes on psychiatry," reported a Los Angeles newspaper (Times).

Grant B. Cooper, one of Sirhan's three attorneys, challenged Miss Freeman on the death penalty, when she said that in a case where she was completely convinced that willful, deliberate, premeditated murder had been proved, "I think I would lean toward the death penalty."

Judge Herbert V. Walker denied Cooper's challenge.

Under questioning by Dep. Dist. Atty. David N. Fitts, one of the three prosecutors appointed by Dist. Atty. Evelle J. Younger, Miss Freeman modified her answer, saying that her verdict "would depend on the mental attitude" of the defendant and whether he had been aggravated or provoked into murder.

"Now after all that fol-de-rol," said Cooper, "let me ask you again. If you were totally sure that first-degree murder had been proved, would you lean toward the death penalty or toward life?"

She replied, "I don't lean either way."

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The same newspaper reported, "Cooper has said repeatedly that the defense will not deny that Sirhan killed Sen. Kennedy, but that it will show that obsessive thinking and an emotional frame of mind affected his capacity to formulate the specific intent to commit first-degree murder.

"For premeditated murder to be proven, the jury must be convinced that both the act of murder and the intent to murder were clearly demonstrated by evidence.

"Since the defense has granted the former as an acknowledged fact, it is banking its defense of Sirhan on the hope that the jury will accept their evidence of Sirhan's limited capacity to plan first-degree murder and then find him guilty on a lesser charge.

"The first-degree murder charge could be reduced to second-degree murder, which carries a sentence of five years to life. First-degree murder convictions carry a penalty of life imprisonment or death in the gas chamber," added the newspaper.

In questioning Mrs. Collins, Fitts asked if she would be inclined to be lenient in her verdict on Sirhan because of his apparent youth?" He is 24.

"No," she replied.

After 12 jurors are provisionally seated, both defense and prosecution may exercise 20 peremptory challenges each, to dispose of jurors about whom they have doubt.

Six alternate jurors will also be seated.

Meanwhile, another Los Angeles newspaper (Herald-Examiner), reported that "hypnosis has been used on Sirhan by psychiatrists seeking

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to determine his mental state at the time he shot" Kennedy.

Use of this technique was told by Emile Zola Berman, one of Sirhan's three attorneys, at a news conference following adjournment of court.

Berman also related that the psychologists and psychiatrists "working with Sirhan had also administered the Rorschach or ink-blot test," said the newspaper. Berman declined to discuss the findings, stating he would leave this to the psychiatrists when they testify on Sirhan's behalf.

The New Yorker told reporters he was "sanguine" over success in obtaining tentative jurors, but warned that jury selection is expected to take at least 18 more court days.

"This would mean the trial would not get underway until sometime in February," wrote the newspaper's reporter.

At the press conference, Berman was asked if the Arab-Israeli political situation would figure in the trial, and he said the defense would not introduce the topic. However, he added, it would figure insofar as it goes to explain Sirhan's motivation, the Los Angeles Times noted.

"We will offer scientific evidence as well as the history, background and problems of the defendant," he said, to support the defense contention that the "intellectual content necessary to a premeditated act is not present in this case. That's going to be our defense."

Berman also disclosed that the test for the XYY chromosome syndrome has been administered to Sirhan, but he did not say if the results were to be introduced into evidence.

(The XYY syndrome is a recent scientific development by some geneticists who claim that certain males are born with an extra Y chromosome for maleness, and that the presence of this extra chromosome carries with it a tendency to resort to aggressive behavior).

WEDNESDAY, JANUARY 15 -- Three men, Lawrence Morgan, a systems analyst for IBM; Leslie H. Laney, a Post Office employee; and Alfonso Galindo, a civilian mechanic for the Navy, today became the first men to be provisionally seated as jurors in the Sirhan B. Sirhan case.

Previously, four women had been provisionally seated following questioning by defense and prosecution and Superior Judge Herbert V. Walker.

Part of court time today also included the questioning of Mrs. Alvina Alvidrez, the 21st prospective juror (others have been excused), and was to be continued on Thursday.

Mrs. Alvidrez was the first prospective juror to say she has conscientious objections to the death penalty. She told the court that "under no circumstances whatsoever" could she return a guilty verdict if a death penalty might result.

Dep. Dist. Atty. David N. Fitts challenged the seating of Mrs. Alvidrez, but Judge Walker disallowed the challenge and said arguments would continue Thursday on her qualifications.

After adjournment, Grant B. Cooper, one of Sirhan's attorneys, cited a recent U.S. Supreme Court decision and a California Supreme Court decision in which murder convictions were reversed because the jury excluded persons opposed to the death penalty.

He added that as a result of these rulings, Mrs. Alvidrez could not be legally excluded from the Sirhan jury.

Sirhan's demeanor in court today was described in one Los Angeles newspaper (Times) as "markedly lighthearted, in contrast to earlier days."

As he entered the courtroom, Sirhan spotted an acquaintance and

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greeted him in Arabic. The man was identified as Abdeen Jabara, 25, a Detroit-born attorney of Lebanese parentage.

Jabara told reporters he was a defense consultant, has been in Los Angeles two weeks and had made one previous visit here since the June 5 assassination of Sen. Kennedy.

Jabara is not an attorney of record in the case and became a consultant to the defense on his own initiative. Both Cooper and Emile Zola Berman, members of the defense team, confirmed that Jabara is here on his own initiative. They added that the visiting attorney had done some translating from Arabic to English for them.

During court today Sirhan "swapped repartee" with Fitts as the deputy district attorney questioned a prospective juror, according to a Los Angeles newspaper (Times).

Fitts asked the prospective juror if he would have the courage to face Sirhan three or four months from now "and tell him face to face that for the murder of Sen. Robert F. Kennedy, you must die in the gaschamber?"

As Fitts spoke, Sirhan abruptly leaned forward in his swivel chair and smiled broadly at the man being questioned, Lawrence Morgan.

Fitts continued quickly to Morgan: "You can see him now, he just leaned over, and even smiled at you. He may smile at you all through the trial."

"I smile at you, too, Mr. Fitts," Sirhan blurted out.

"Yes, you do," said Fitts. "You smile a lot."

Judge Walker cut off the dialog with the admonition: "Restrict yourself to the questions, Mr. Fitts."

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Fitts repeated his question and Morgan said he could tell Sirhan directly if he should decide on a death penalty.

THURSDAY, JANUARY 16 -- "A courtroom wrangle over a woman juror opposed to the death penalty raised the possibility" today "that the murder trial of Sirhan Bishara Sirhan could become a landmark case in U. S. law and that Sirhan, if convicted in the slaying of Senator Robert F. Kennedy, might never be executed," reported Dave Smith, staff writer for a Los Angeles newspaper (Times).

Meanwhile, John Douglas, staff writer for another Los Angeles newspaper (Herald-Examiner), noted that "Arab-Israeli tensions have intruded into" the case.

At the conclusion of today's session in the Los Angeles Hall of Justice courtroom of Judge Herbert V. Walker, three more jurors were tentatively seated -- bringing the total to 10 persons, five men and five women.

Selected today were Mrs. Sharon A. Engle, an IBM employee; Benjamin Glick, who operates a ready-to-wear clothing business; and Gilbert F. Grace, who works for the Los Angeles Department of Water and Power.

Deputy District Attorney David N. Fitts renewed his challenge of Mrs. Alvina Alvidrez, who yesterday said that "under no circumstances whatsoever" could she vote for the death penalty.

Judge Walker disallowed the challenge yesterday, but was considering arguments and is expected to hand down a ruling. Mrs. Alvidrez said she felt qualified to judge the question of the accused assassin's guilt or innocence.

Deputy District Attorney John E. Howard, one of the three

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prosecutors appointed by District Attorney Evelle J. Younger, argued that if the woman or someone of the same opinion were seated, and that if Sirhan were convicted of first-degree murder, the court could face the possibility of a mistrial or the problem of jeopardy -- in effect presenting a second trial on the same set of facts, reported the Los Angeles Times.

"The latter case could result, Howard said, if the jury that determined guilty had to be dismissed and replaced by another jury to fix the penalty," added the newspaper.

(California law offers only the death penalty or life imprisonment on a first-degree murder conviction and also allows two juries -- one for the guilt-innocence phase and one for the penalty phase.)

(Meanwhile, on the subject of the Arab-Israeli issue, defense attorneys, reported the Los Angeles Herald-Examiner, "bore down hard on whether prospective jurors held strong feelings on the tense Mid-east situation.

"This line of questioning became particularly acute during the questioning of Glick -- first, and so far the only, Jew to be tentatively seated on the jury."

As for Sirhan's attitude in court today his bouyancy of Wednesday when he called out to a friend in the rear of the courtroom and wrangled verbally with Prosecutor Fitts, was gone" reported the Los Angeles Herald-Examiner.

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wednesday,
January 29, 1969
After 10 a.m.

WEEKLY SUMMARY #34

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 34th summary, and others will be for release on subsequent Wednesdays.

FRIDAY, JANUARY 17 -- "In a surprise maneuver" today, the prosecution in the murder trial of Sirhan B. Sirhan "passed its pre-emptory challenges of prospective jurors and said it was willing to accept 'the jury as now constituted,' "according to a Los Angeles newspaper (Times).

The newspaper noted that "the unexpected move by Chief Dep. Dist. Atty. Lynn D. Compton opened up the possibility that the prosecution could begin presenting its case as early as the end of next week."

Grant B. Cooper, chief defense attorney, upon hearing that the prosecution would not exercise the remaining 19 of its 20 peremptory challenges, requested a recess to allow the three-man defense team "to weigh the possibility of accepting the jury as a whole."

"Under normal circumstances," reported the newspaper, "if the defense also waives its peremptories, the jury would simply be impaneled."

However, one prospective juror, Miss Helen L. Woodworth, had

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SEARCHED	INDEXED
SERIALIZED	FILED
JAN 30 1969	
FBI - LOS ANGELES	

not yet been accepted on legal grounds by both sides. A mutual stipulation this morning directed Miss Woodworth to get a statement from her doctor whether she could endure a lengthy trial.

Judge Herbert V. Walker then directed that the jury selection proceed, even into the peremptory challenges, despite Miss Woodworth's unresolved status.

Compton stated that the prosecution holds that the jury includes Miss Woodworth and that if she is not seated, then the jury will no longer be constituted the same as when he passed the peremptory.

However, Cooper contends that the jury does not yet include Miss Woodworth, since she has not been passed by both sides.

Compton's move came after questioning and acceptance of a Jewish woman juror, Dora Jacobi, who said she is a retired university instructor. Another Jew, Benjamin Glick, clothing retailer, was accepted provisionally by the prosecution and defense Thursday.

Mrs. Alvina Alvidrez, who says she could never decree the death sentence for anyone -- including the accused slayer of Senator Robert F. Kennedy, was dismissed from the jury panel.

Judge Walker, reversing a previous ruling, decided in favor of a prosecution challenge to her seating. Cooper had battled to retain her, noting that recent high court decisions had ruled against the selection of so-called "hanging juries" by excluding people with conscientious scruples against execution.

Dep. Dist. Atty. John E. Howard, in rebuttal, had argued that

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Mrs. Alvidrez' views went beyond conscientious scruples and were inflexible to a degree not supported by the cases Cooper cited.

She was excused on legal grounds by the judge.

The prosecution exercised the only one of its 20 peremptory challenges to unseat Mrs. Alicia Duke, a divorcee and an accountant for the State Lands Division.

The defense also exercised one of its peremptory challenges in dismissing Mrs. Sharon Engle, wife of a Glendale mortician.

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SUNDAY, JANUARY 19 -- In an article titled "The Tense, Subtle Screening of the Sirhan Jurors," John Douglas, staff writer for a Los Angeles newspaper (Herald-Examiner) today explained the selection of the jury.

"If at the end of this trial, you thought it was a proper case, would you be willing to come down from the jury room, look Sirhan Bishara Sirhan in the eye and say:

" 'For the murder of Sen. Robert F. Kennedy you die in the gas chamber?' "

This is one of more than a score of tests to which each juror is put. "It is undoubtedly the most difficult test," wrote Douglas. Asking the question of prospective jurors is Dep. Dist. Atty. David N. Fitts, described as "urbane, silver-haired, given to weak jokes and verbal arabesques."

As for Grant B. Cooper, the chief defense attorney, he tells

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prospective jurors, reports Douglas: "The defense will not say that our client, Sirhan Bishara Sirhan, did not fire the shot that killed Sen. Kennedy."

Douglas continues that the defense will state that when Sirhan allegedly shot the senator, he (Sirhan) lacked the "intellectual capacity" to have actual malice toward his victim."

The writer adds, "If the defense can refute the allegation of malice, which is specifically charged in the murder indictment returned against Sirhan, there can be no conviction for first degree murder" the defense will have accomplished its goal of "saving the young Jordanian from San Quentin's gas chamber."

In conclusion, Douglas writes:

"Sirhan never asks a question, but his deep-socketed eyes probe the face of every prospect.

"He sits there, concentrating. For soon, the jury selection will be finished. Twelve men and women will then hear the evidence and then decide...

"Guilty...

"Not guilty...

"Manslaughter...

"Second degree murder...

"First degree murder...

"Life...

"Death..."

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TUESDAY, JANUARY 21 -- "Defense attorneys for Sirhan B. Sirhan matched a prosecution maneuver "to day" that to outward appearances, made the seating of the jury only one juror away, " wrote a reporter, Dave Smith, in a Los Angeles newspaper (Times).

The prosecution, he pointed out, "by withdrawing its waiver of the right of peremptory challenge, countered the defense counter-measure, unseated a Jewish woman juror and the entire process resumed with swearing-in of a final jury still estimated at a week or more away."

(On Friday, January 17, Chief Dep. Dist. Atty. Lynn D. Compton waived the right to challenge jurors and accepted the prospective jury as then constituted.

(However, one of the 12, Miss Helen Woodworth, had not been accepted on both sides on legal grounds. Today she reported her doctor felt confinement during a long trial would endanger her health.)

Another prospective juror, Mrs. Geraldine Scherer, was accepted in her place, and Grant B. Cooper, one of the defense attorneys, announced "the defense accepts the jury as now constituted."

Because of Miss Woodworth's replacement, Compton protested that this was no longer the jury he had accepted on Friday. Cooper contended that the jury Compton had accepted never included Miss Woodworth in the first place, but only the 11 that both sides had agreed to.

Superior Judge Herbert V. Walker directed Compton to request a withdrawal of his waiver of the peremptory challenge privilege, and then, exercising judicial discretion, granted Compton's request.

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Compton then excused Miss Dora Jacobi, a former university instructor and one-time employee of the U.S. Air Force Institute's Neuropsychiatric Center.

Another woman, Mrs. Jeannette F. Hendler, was excused on legal grounds, after telling the court, "I am unequivocally opposed to capital punishment for any reason whatsoever, whether by an individual or by the state."

According to a Los Angeles Newspaper (Times), Sirhan, who is accused of assassinating Sen. Robert F. Kennedy and wounding five other persons in June, 1968, "appeared pensive throughout the tedious questioning."

At one point he whispered to Michael McCowan, defense investigator, who later related that Sirhan reminded him to "get my alien registration card mailed in on time."

(Alien residents of this country must report each year, or they are subject to deportation. Sirhan is a native of Jordan.)

Meanwhile, another Los Angeles newspaper (Herald-Examiner) noted that "the strain of the long preliminaries" in the trial "has begun to tell on" the defendant.

John Douglas, staff writer, said that Sirhan "showed a new tenseness and concern "today" as jury selection in the case wore into its second week.

"He paid great attention to the legal arguments that arose over peremptory challenges to tentatively seated jurors."

Douglas offered the opinion that "it now appears that both

and prosecution may use a large number of the 20 peremptory challenges each is allowed under California law in a murder trial."

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WEDNESDAY, JANUARY 22 -- Five prospective jurors were excused on peremptory challenges today in the Sirhan B. Sirhan case -- three by the prosecution and two by the defense.

"With 15 prosecution and 16 defense peremptory challenges still unused, it was expected that swearing-in of a jury to try the defendant "could consume the rest of this week and next week as well, before the prosecution could begin its case," according to a Los Angeles newspaper (Times).

Dismissed from the jury, at the request of Dep. Dist. Atty. John Howard, were Mrs. Rosa Molina, widowed nurse; Mrs. Geraldine Scherer, retired antique dealer; and Harold Baldwin, retired bank assistant cashier.

The defense filed peremptory challenges against Mrs. Barbara Collins, telephone company customer service representative; and Mrs. Wilma Boone, electronics worker.

"A defense source," reported another Los Angeles newspaper (Herald-Examiner), "disclosed the reasons for challenging Mrs. Boone were developed in secret questioning in Judge Herbert V. Walker's chambers," where each juror is interrogated by Walker, and the defense and prosecution.

(On Monday, January 6, 1969, Chief Dep. Dist. Atty. Lynn D. Compton, who heads the three-man prosecution team, said, "I am very concerned about any sort of procedure which is not held in open court.

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("There are so many people," he continued, "that are sitting back and second-guessing everybody involved in the lawsuit, your honor, the defense counsel, the prosecution, that we have to be scrupulous in having it all done in open court so nobody can say, well, something happened in chambers or something was done that nobody knew was going on or went on.")

(Compton opposed questioning of prospective jurors in chambers and suggested "this be done in open court. I have no objection to, if it is mechanically possible, to have one juror questioned out of the presence of the other jurors, but not out of the open courtroom.")

(Grant B. Cooper, one of Sirhan's three attorneys, told Superior Judge Herbert V. Walker that jurors should be questioned "in chambers or in the absence of other jurors on whether or not they have read or heard anything about the case that would cause them to be prejudiced to one side or the other.")

(Judge Walker then said the procedure of questioning prospective jurors in chambers would be followed, although "I appreciate the objection of the People and this has been voiced in the record.")

"They are asked," added the newspaper, "about the influence publicity in the Kennedy murder may have had upon them, as well as

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questions about religion and politics. Other questions are asked in open court."

Reporter John Douglas noted, "for the first time since jury selection began, this secret questioning prompted a defense challenge for cause (that is, a reason defense lawyers thought strong enough to disqualify a juror).

"Judge Walker denied the challenge for cause, leveled against Mrs. Patricia Anderson, a bank secretary.

"The incidents of Mrs. Anderson and Mrs. Boone served to point up the large measure of secrecy surrounding selection of the jury that will try Sirhan . . .

"Perhaps less is known publicly about this jury than any other in the history of major criminal trials in the century," concluded the reporter.

Meanwhile, the newspaper (Herald-Examiner) reported that Sirhan, "apparently disinterested in selection of the jury . . . read in court as the jury was being selected,

The newspaper said Sirhan "was engrossed in a thick, mimeographed report which defense aides said contained testimony of Arab refugees about their harsh treatment by Israel."

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THURSDAY, JANUARY 23 -- "Little progress was made toward final selection of the jury" today in the Sirhan B. Sirhan case, according to a Los Angeles newspaper (Herald-Examiner).

Much of the time was taken up with argument in Superior Judge Herbert Walker's chambers in which the defense sought to disqualify a prospective juror, Mrs. Patricia Anderson, a bank secretary.

The defense wanted her disqualified, the newspaper reported, "on the grounds that her attitude toward the death penalty in first-degree murder cases might be prejudicial to Sirhan.

"On other occasions, these arguments had been in open court.

"However, Judge Walker ordered this one heard in chambers, and, under a blanket order he issued at the opening of the trial, lawyers in the case could not disclose details.

"The problem of Mrs. Anderson became moot, however, when she told the court" that her employers "had decided that her serving during the trial, which could last three months, would be a hardship to the bank. She was excused."

Three jurors were seated today and two were removed after defense and prosecution used peremptory challenges against them.

Tentatively seated were Ronald Evans, telephone company installer; Mrs. Mary Lou Busby, high school mathematics teacher; and Mrs. Irma Martinez, utility company clerk.

Removed by peremptory challenges were James B. Avery, mail carrier; and Miss Carolyn L. Freeman, telephone company clerk.

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Meanwhile, Cooper announced, reported the newspaper, that he would argue next week that the indictment charging his client with Kennedy's murder be quashed because the 1968 Grand Jury, which returned the indictment, was chosen unconstitutionally.

"Sirhan would not be freed, however. He could be reindicted or brought to a new trial on the basis of a district attorney's complaint," said the newspaper.

When the trial first began, Cooper attacked the indictment and said the system by which prospective jurors are nominated by Superior Court judges excludes members of some minority groups from membership.

Judge Walker held Cooper's motion in abeyance at that time.

Today, Cooper said that "at the suggestion of one of the prosecutors, Dep. Dist. Atty. John Howard, the jurist had agreed to hear the motion next week. No date has been set," added the newspaper.

* * *

FRIDAY, JANUARY 24 -- Both the defense and prosecution today reached agreement on a jury of eight men and four women, including five minority members, to try the case against Sirhan B. Sirhan.

'The defense moved twice during the morning to accept the panel and the prosecution, after the substitution of one more juror and consideration of the panel over the two-hour lunch break, acceded on the second motion,' reported a Los Angeles newspaper (Times).

Members of the jury include:

' Benjamin Glick, the sole Jew on the jury -- and the only final juror to be questioned in open court about his religious views on the Israeli-Arab controversy. Glick and his wife own a ready-to-wear shop.

Mrs. Irma O. Martinez, an employee of the Southern California Gas Co., whose husband is a truck driver. They are the parents of a five year old son.

Alphonso Galindo, a civilian mechanic employed by the Navy in Long Beach.

Gilbert F. Grace, a Los Angeles City Department of Water and Power employee.

George Broomis, also a Department of Water and Power employee and the father of two sons.

Ronald G. Evans, a Pacific Telephone Co. switchboard installer and the father of two children.

Susan J. Brumm, a service supervisor for Pacific Telephone Co.

Albert N. Frederico, a plumber employed by the City of Los Angeles.

Mrs. Mary Lou Busby, a high school mathematics teacher, married to a high school history teacher.

Laurence K. Morgan, a systems analyst for IBM, who is married and a father.

Bruce D. Elliott, a systems analyst for TRW Systems, Inc. He has a Ph.D.

Neil Bortells, a service representative for Pacific Telephone.

Attorneys for both sides later expressed satisfaction with the jury, which includes four Mexican-Americans and one Jew. The jury reportedly includes seven Republicans and five Democrats, including one supporter of Senator Kennedy, who was allegedly slain by Sirhan.

Superior Judge Herbert V. Walker recessed the trial until Wednesday, January 29 and sent the jurors home until Thursday, January 30, admonishing them not to discuss the case with anyone and to be careful of telephone callers "who might try to advise you, as I have already experienced." They are expected to be sworn in on Thursday. Six alternate jurors must also be selected.

The judge ordered attorneys for both sides to prepare their final arguments for Wednesday on a defense motion to quash the first-degree murder indictment against Sirhan.

Cooper based the motion on a contention that the method of selection of the grand jurors who originally indicted Sirhan is unconstitutional and does not represent a proper cross-section of the community.

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wednesday,
February 5, 1969
After 10 a.m.

WEEKLY SUMMARY #35

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 35th summary, and others will be for release on subsequent Wednesdays.

WEDNESDAY, JANUARY 29 --- All 133 Los Angeles Superior Court judges were subpoenaed today by Sirhan Bishara Sirhan's defense counsel to testify as to how they pick their nominees for the Grand Jury.

(The 1968 Grand Jury indicted Sirhan).

With each subpoena, the defense included a questionnaire for each judge to fill out and return, instead of appearing personally. The questions dealt with the racial, ethnic and economic backgrounds of all Grand Jury nominees since 1959.

(In Los Angeles County, each Superior Court judge nominates two candidates, and ultimately 23 jurors are chosen by lot).

In court today, Grant B. Cooper, one of Sirhan's three attorney's, argued, as he had earlier, for a motion to quash the indictment against his client, who is accused of killing Senator Robert F. Kennedy.

Cooper has contended that the system of seating the Grand Jury excludes many classes of workers and minorities and is thus unconstitutional.

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44-157-4-3

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 7 1969	
FBI - LOS ANGELES	

(A Los Angeles newspaper (Herald-Examiner) noted that the 1968 Grand Jury, which indicted Sirhan, included Negroes, Mexican-Americans and one Arab.

(Chief Dep. Dist. Atty. Lynn D. Compton said that the prosecution contends that since Sirhan is not a Negro or Mexican-American he can't complain about the exclusion of these groups, even if it were true, which it isn't.

(Additionally, Compton related, the defense doesn't demonstrate how their client was harmed, nor do they say Sirhan might not have been indicted).

Cooper told the court he intends to find out whether judges nominate only from their circle of acquaintances, or whether they make an effort to nominate qualified persons from all strata of society.

As for the questionnaire, Cooper said he would compile answers and add them to other testimony in support of his motion to quash the indictment.

The only witness in court today was Dr. Robert Schultz, USC population studies expert, who has been retained by the defense. He testified he had compared ethnic, demographic and economic data concerning nominees for the 1968 Grand Jury with 1960 census profiles of Los Angeles County.

Asked to draw a conclusion, Schultz replied:

"The makeup of the Grand Jury nominees in no way shows a profile of Los Angeles County."

On the basis of findings by the professor, Cooper then attacked the Grand Jury on these grounds:

1. That it was unfair to Sirhan because he is but 24 and no member of the Grand Jury was 30 or under.

2. That it was unfair because Sirhan comes from 'an economically low level' and no member of the Grand Jury, Schultz estimates, had an income of less than \$10,000 annually.

Cooper said he was not raising the racial issue, which has been cited "in successful attacks on Grand Juries . . .," a Los Angeles newspaper reported (Herald-Examiner).

, Chief Dep. Dist. Atty. Lynn D. Compton, one of three prosecutors appointed by Dist. Atty. Evelle J. Younger, disputed this.

He said that the Grand Jury question is irrelevant because any Grand Jury would have indicted Sirhan. He pointed to the fact that Cooper concedes "Sirhan pulled the trigger that fired the shot that killed Sen. Kennedy."

Cooper continued, stating that a substantial "federal constitutional" question is raised in his attack on the Grand Jury system.

Dep. Dist. Atty. John Howard, responding for the prosecution, said while the federal courts had agreed to look at the makeup of federal grand juries, they had not involved themselves with state grand jury selection. He pointed out that there was no question but that the 1968 Grand Jury was chosen in accordance with California law.

"The federal government lets us run our own railroad," Howard said.

But Superior Judge Herbert V. Walker, who is presiding, declared, "in the past five years the federal government has said we can't run our own railroad. I am not sure they won't do it in this case."

Meanwhile, Professor Schultz in profiling the grand jurors nominated by judges under subpoena, found that 88 per cent of the jurors were 45 years of age or older; 74 per cent had at least one year of college and many held graduate degrees.

He said 67 per cent were either professional or technical men or managers and that 154 of 160 nominees live in basically all-white neighborhoods which he listed as 'centered on Beverly Hills and including Brentwood, West Los Angeles and the Palisades Peninsula.'

The professor added that 75 per cent of the nominees lived in homes valued at more than \$25,000 and 70 per cent had annual incomes greater than \$10,000.

Countering his argument that these figures were in marked contrast to the 1960 census profile, Compton termed the professor's testimony irrelevant because the 1960 census is out of date.

Meanwhile, another Los Angeles newspaper (Times) today said the 12 members of the jury selected to hear the case, "Eight men and four women -- total strangers -- will enjoy their last day with family and friends . . . before embarking on three months of grim and tedious confinement together."

The newspaper indicated the 12 would be sworn in tomorrow and "will be kept day and night in a rigidly controlled environment in which diversions will be chosen for them, and precious few at best."

The writer of the article, Dave Smith, noted "their attention will be riveted on only one thing: giving Sirhan Bishara Sirhan his due. That won't be easy."

He added that "the defense hopes to impress the jury with a wide

array of medical, psychological, political, sociological, and perhaps even chemical and genetic evidence to show that Sirhan was incapable of responsible premeditation of murder, that emotional factors diminished his capacity to plan.

"This is a legitimate defense under California law, one that takes account of mental imbalance less bizarre than the dithering lunacy normally required to buttress a defense of legal insanity.

"The defense of diminished responsibility also is one that each of these 12 jurors has sworn to give impartial, open-minded attention to. And in doing as they have sworn, they open themselves to agonizing hours when the time comes to decide whether to kill a man or let him live.

"The prosecution has already warned these jurors that it is merely an abstraction to say, 'I could vote the death penalty.' They must liken themselves, the prosecution stressed, not only to eye-witnesses at the beheading of a person but also to 'the man who has put his hand on the axe.'

"Until that moment of truth arrives," wrote the reporter, "the jurors will sit through one of the most cumbersome yet cautious trials in American history."

* * *

THURSDAY, JANUARY 30 -- Sirhan Bishara Sirhan, the accused assassin of Sen. Robert F. Kennedy, and his mother, Mrs. Mary Sirhan, will "in all probability" be called to the witness stand on Tuesday, February 4, to testify to the family's low economic status since their immigration in 1957, Grant B. Cooper, one of the three defense lawyers, said today.

Cooper indicated the testimony will support the defense contention that the admitted slayer of the senator was indicted for murder

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by unconstitutionally seated grand jurors who came from a much wealthier class than he, and that the indictment should therefore be quashed.

(Should the indictment be quashed, the trial will be halted, reported a Los Angeles newspaper (Herald-Examiner)).

("However, Sirhan would not go free. He could be re-indicted or brought to trial on the basis of a district attorney's complaint. Meanwhile, he would remain behind bars under the police warrant charging him with murder.")

' Today's trial was recessed until next Tuesday to allow preparation for further argument on the defense motion.

'The trial, said the newspaper, "bogged down again today; in a morass of technical detail as defense lawyers awaited responses from Superior Court judges on how they choose nominees for the Grand Jury."

The defense served 123 jurists with subpoenas and questionnaires on grand juror nomination as part of its attack on the 1968 Grand Jury that indicted Sirhan.

The judges had the option to testify in court or fill out the questionnaire. Three judges appeared in court.

Kenneth N. Chantry, retired Los Angeles County Superior Court presiding judge, and Superior Judge Arthur L. Alarcon said they sought members of minority groups for Grand Jury service, but were often unsuccessful.

Superior Judge Edward Brand said he did not believe in "hyphenated Americans" and paid little or no attention to the ethnic backgrounds of his nominees. Alarcon also said he sought younger nominees.

'All three judges pointed out that beside its functions of

criminal indictment, the Grand Jury was charged under California law with responsibility for investigating and auditing the various departments of county government," said a Los Angeles newspaper (Herald-Examiner).

"Great judgment and maturity is needed to perform this task, they said," reported the newspaper.

Meanwhile, the prosecution countered that despite defense studies indicating that some exclusion does occur, the 1968 Grand Jury did include two Negroes and one Arab-American, whose father was Syrian and whose mother was Lebanese.

Also testifying today was William A. Goodwin, Superior Court jury commissioner, who noted that for the last three years Superior Court presiding jurists have urged judges to consider ethnic, racial and economic level in choosing grand jurors.

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., Feb. 12, 1969
After 10 a.m.

WEEKLY SUMMARY #36

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 36th summary, and others will be for release on subsequent Wednesdays.

SATURDAY, FEBRUARY 1 -- Sirhan Bishara Sirhan's murder case has cost Los Angeles County taxpayers \$370,416 through December 31, 1968, according to County Supervisor Kenneth Hahn who made the comment today as reported in a Los Angeles newspaper (Herald-Examiner).

Hahn noted the largest expenditure so far was \$184,768 in "extraordinary" expenses which provided:

1. Construction of a temporary courtroom with armor-plated windows near the defendant's guarded cell on the 13th floor of the Hall of Justice.
2. Installation of a closed circuit television system to carry trial proceedings to an auxiliary room for newsmen on the fourth floor of the Hall of Justice.

The newspaper related that regular departmental costs totaled \$138,697, mostly in staff time of district attorney's investigators and the public defender, which briefly represented Sirhan.

The remainder of the cost, \$46,951, was for general county overhead.

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SEARCHED	INDEXED
SERIALIZED	FILED
FEB 12 1969	
FBI - LOS ANGELES	

MONDAY, FEBRUARY 3 -- A \$1,050,000 damage suit against Sirhan was filed in Los Angeles Superior Court today by a 17-year old youth who was beaten and shot at the same time Senator Robert F. Kennedy was fatally wounded.

Irwin Stroll said in his complaint he was "wrongfully, unlawfully and violently assaulted" by Sirhan last June 5 "and struck in and about the face, arms and body and was shot in the leg."

Stroll, a member of Volunteers for Kennedy, asked \$50,000 in general damages and \$1 million in punitive damages.

* * *

TUESDAY, FEBRUARY 4 -- Both Sirhan B. Sirhan and his mother, Mrs. Mary Sirhan, took the witness stand in his murder trial today, and were questioned about the family's financial condition.

A Los Angeles newspaper (Herald-Examiner) noted that Sirhan, the accused assassin of Senator Robert F. Kennedy "broke eight months of silence" as he answered questions.

On the witness stand for only a few moments, he told the court his most affluent year was 1966 when he earned \$2212.46 working for the Yellow King Ranch at Chino and Altfillisch Construction Company Horse Ranch at Corona.

Testimony today was part of a defense attempt to show that the affluence of the grand jurors that indicted Sirhan contrasts radically with the status of the Jordanian immigrant's family.

(The 1968 Los Angeles County Grand Jury indicted Sirhan shortly after the death of Senator Kennedy).

Grant B. Cooper, one of Sirhan's three attorneys, argued that

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in not including persons whose income fell below the \$10,000-a-year mark, the grand jury was inherently discriminatory against the poor.

The Sirhans are members of this group, Cooper maintained.

The Jordanian's longest answer in his brief witness-box appearance was to Chief Dep. Dist. Atty. Lynn D. Compton, one of the three prosecutors.

Compton asked him how old he was, and Sirhan replied, "Twenty-five next month, sir."

Sirhan also testified he 'turned over part of any money' he made to his mother. However, Mrs. Sirhan said that none of her sons, including Sirhan, ever gave her much money.

She also told the court the family was purchasing a home in Pasadena, for which they had agreed to pay \$12,000. The monthly payments are \$70 and her monthly take-home pay for work at a church nursery school was \$184.

One of the most dramatic moments in court today was when Mrs. Sirhan ended her testimony, and said "I thank God who gives me strength . . . I thank the United States also that I never go hungry and that I have a roof over my head."

Defense lawyers, related a Los Angeles newspaper (Herald-Examiner) "were caught by surprise by the diminutive woman's outburst."

At the conclusion of court today, Superior Judge Herbert V. Walker, who is presiding, denied Cooper's motion to quash the indictment against Sirhan for two reasons: that the motion was irrelevant to the proceedings and, on its merits.

Cooper claimed that the Grand Jury selection system is

unconstitutional because it doesn't represent a broad-cross section of the population..

Meanwhile, another Los Angeles newspaper (Times) reported that "opening statements in the trial proper are expected next Monday or Tuesday" (February 10 or 11).

* * *

WEDNESDAY, FEBRUARY 5 -- The eight-man, four-woman jury which will try Sirhan B. Sirhan was sworn in today and attorneys for the defense and prosecution began selecting six alternate jurors.

The 12 were accepted on January 24, but swearing-in was delayed by argument on the defense motion to quash the Grand Jury indictment.

Three alternate jurors were tentatively seated today, but each side has 12 peremptory challenges by which they may excuse jurors.

Members of the jury include the following:

Benjamin Glick, the sole Jew on the jury -- and the only final juror to be questioned in open court about his religious views on the Israeli-Arab controversy. Glick and his wife own a ready-to-wear shop.

Mrs. Irma O. Martinez, an employee of the Southern California Gas Co., whose husband is a truck driver. They are the parents of a five-year-old son.

Alphonso Galindo, a civilian mechanic employed by the Navy in Long Beach.

Gilbert F. Grace, a Los Angeles City Department of Water and Power employee.

George Broomis, also a Department of Water and Power employee and the father of two sons.

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Ronald G. Evans, a Pacific Telephone Co. switchboard installer and the father of two children.

Susan J. Brumm, a service supervisor for Pacific Telephone Co.

Albert N. Frederico, a plumber employed by the City of Los Angeles.

Mrs. Mary Lou Busby, a high school mathematics teacher, married to a high school history teacher.

Laurence K. Morgan, a systems analyst for IBM, who is married and a father.

Bruce D. Elliott, a systems analyst for TRW Systems, Inc. He has a Ph.D.

Neil Bortells, a service representative for Pacific Telephone.

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., Feb. 19, 1969
After 10 a.m.

WEEKLY SUMMARY #37

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney J. Younger is publishing a weekly summary of the case. This is the 37th summary, and others will be for release on subsequent Wednesdays.

, THURSDAY, FEBRUARY 6 -- Two prospective alternate jurors in the murder trial of Sirhan Bishara Sirhan were unseated today by peremptory challenges by both the prosecution and defense.

Mrs. Zena F. Lewis was challenged on legal grounds by the prosecution after she told Superior Judge Herbert V. Walker that she could decide on the matter of guilt or innocence, but that under no circumstances could she vote a death penalty.

Five alternate jurors have been chosen and one seat remains to be filled, but both sides have 11 peremptory challenges.

* * *

FRIDAY, FEBRUARY 7 -- "Lawyers in the Sirhan murder trial labored without success today to complete selection of six alternate jurors . . ." reported a Los Angeles newspaper (Herald-Examiner).

Five prospective alternates were examined, but none were chosen. Mrs. Linda S. Katrenich was excused because she was so opposed to the death penalty that she would never vote for it in a murder case.

Another prospective juror, Mrs. Bernadine Holmquist, said her

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56-156-7-5

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 25 1969	
FBI - LOS ANGELES	

opinions of Sirhan were so strong that his defense lawyers would have to prove to her he should not be sent to the gas chamber for first degree murder, added the newspaper.

* * *

SATURDAY, FEBRUARY 8 -- "Defense attorneys in the Sirhan murder trial expect the admitted slayer of Sen. Robert F. Kennedy to go to prison for the killing, but they hope to save him from San Quentin's gas chamber," a Los Angeles newspaper (Herald-Examiner) stated today.

Continued the article:

"This startling admission came from Sirhan's chief defense counsel, Grant B. Cooper, as defense and prosecution continued their so far unsuccessful search for six alternates for the jury which will try the 24-year old Jordanian immigrant."

Cooper told a prospective juror "that not only would the defense concede Sirhan shot Kennedy, but also it would not attempt to win an acquittal for him."

At recess yesterday, the defense lawyer said that this "has been our plan all along, but we haven't said it publicly before. I thought it was time we did," the newspaper quoted Cooper as saying.

Added the newspaper:

"Defense sources said Sirhan was aware of his lawyers' strategy and accepted it. However, Cooper's courtroom announcement appeared to upset the defendant . . ."

* * *

SUNDAY, FEBRUARY 9 -- Writing of jurors in the Sirhan case, John Douglas in a Los Angeles newspaper (Herald-Examiner) noted that they

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will soon "begin an experiment in communal living which may last a quarter of a year and end with their deciding whether a young man will live or die."

The 18 jurors (12 plus 6 alternates) will live in isolation in a downtown Los Angeles hotel (Biltmore), and their material needs will be the responsibility of Superior Court bailiffs. The Right Rev. Francis Eric Bloy, bishop of the Los Angeles Episcopal Diocese, will be chaplain to the jury.

"For the jurors, the Biltmore experience will in many ways be like living in a prep-school dormitory. But the prefects will carry guns and wear uniforms of Los Angeles deputy sheriffs.

"There will be half a dozen stationed on the Biltmore's sixth floor, where the county has taken over a full wing of 25 rooms for the jury.

"Each juror will have his own room for which the county will pay \$9 a day. The deputy sheriffs will be housed in rooms costing \$8 a day.

"When the jurors want privacy they can stay in their own rooms. If they seek the society of their colleagues, they will be able to do so in two recreation rooms. Television will be available -- but censored by a deputy who will make sure that no television news of the trial is available to the jurors and alternates.

"Jurors will also be able to read newspapers and magazines, but all reference to the Sirhan case will have been cut from these before the jurors see them.

"On weekends, and -- should the trial last that long -- on holidays, they will be taken on trips.

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"Deputy Sheriff Willard Polhemus, Judge Walker's bailiff for the last nine years, will be 'social director' for the jurors. He has done this job before.

"Weekends the jurors can be visited by their husbands and wives, if they have them. The visits can extend overnight, if the spouse is willing to pay the Biltmore \$3 for a bed.

"Meals will be paid for by the county at the rate of \$8.50 a day. If a juror wants more food, or more expensive food, he has to pay for it himself.

"If a juror wants a drink, he can have one, provided he doesn't want too many. But, he will have to pay for them himself. The County of Los Angeles does not buy liquor.

"When the trial is concluded, the jurors will know each other better than nearly any group in the world.

"Among them will develop friendships and perhaps even love . . .

"And perhaps hate," concluded the article.

* * *

MONDAY, FEBRUARY 10 -- Dist. Atty. Evelle J. Younger, whose office is prosecuting Sirhan B. Sirhan, the accused assassin of Senator Robert F. Kennedy, met today with prosecution and defense counsel in the chambers of Superior Judge Herbert V. Walker.

Both sides said later they had discussed scale model parts of the Ambassador Hotel, where the senator was shot last June 5. They declined further comment, but one Los Angeles newspaper (Times) speculated that Younger's visit may mean 'a new development . . . in the case against Sirhan.

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Meanwhile, Grant B. Cooper, one of Sirhan's lawyers, today predicted that the sixth and final alternate juror will be chosen tomorrow (Tuesday, February 11).

Another Los Angeles newspaper (Herald-Examiner) quoted Cooper as saying that if the selection is completed by noon on Tuesday, Chief Dep. Dist. Atty. Lynn D. Compton can make his opening statement on Thursday, February 13.

The alternate jurors, tentatively seated, include Clarence Yaw, businessman; Mrs. Eleanor Landgreen, wife of an insurance adjustor; John H. Johnson, computer design engineer; and Mrs. Bertha Feenstra, wife of an electrician.

All could be removed by defense and prosecution peremptory challenges -- those for which lawyers need give no reason.

Concerning today's meeting in the judge's chambers, the newspaper said "major carpentry that will be needed in the eighth floor Hall of Justice courtroom where Sirhan is being tried" was discussed.

Continued the newspaper:

"The Los Angeles Police Department's special Sirhan task force has constructed two scale models -- one of the ground floor of the Ambassador Hotel, the other of the kitchen off the hotel's Embassy Room where Kennedy was shot.

"The larger mockup will give the jury a view of the scene of the crime. It will be used instead of letting the jurors visit the hotel. Security considerations for Sirhan rule out a visit to the scene.

"The second model -- that of the kitchen -- will probably be introduced in evidence, Cooper said.

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'Both models are very large and will require considerable re-arrangement of the small courtroom.'

As for selection of alternate jurors, 23 prospective ones were examined today, two tentatively seated were removed by prosecution and defense challenges and two replacements were named.

Three prospective alternates were challenged by Dep. Dist. Atty. John L. Howard after they expressed strong convictions against the death penalty. In two cases, Cooper opposed the prosecution challenge. The third was not contested.

* * *

TUESDAY, FEBRUARY 11 -- During a discussion on the Los Angeles County court system today, County Supervisor Kenneth Hahn "was especially critical of the cost of bringing Sirhan B. Sirhan to trial in the assassination of Sen. Robert F. Kennedy and the weeks spent in picking the Sirhan jury," reported Ray Zeman, county bureau chief, in a Los Angeles newspaper (Times).

At the Board of Supervisors meeting, the 10-member special study commission on judicial procedures was asked to review the administration of justice in the county and make recommendations.

(Sen. Kennedy was slain on June 5, 1968, and indicted by the Grand Jury two days later. Jury selection began on January 13, 1969).

With the selection of six alternate jurors today, Superior Judge Herbert V. Walker swore in the alternate panel and released all 18 jurors until 8 p.m. tomorrow (Wednesday, February 12) when they are to report to the Biltmore Hotel to be sequestered for the length of the trial.

The alternate jurors include:

Miss Gloria J. Haffey; George Stitzel, a Los Angeles Times pressroom foreman; Miss Ruth A. Stillman, insurance company adjuster; John H. Johnson, computer designer; Clarence Yaw, oil company purchaser; and Mrs. Eleanor B. Landgreen, housewife and mother of three sons.

* * *

WEDNESDAY, FEBRUARY 12 -- The reasons for the Sirhan trial -- the assassination of Sen. Robert F. Kennedy -- "have been obscured in the past few weeks as defense and prosecution lawyers have stepped through the delicate minuet of jury selection and preliminary motions," John Douglas, staff writer, noted in a Los Angeles newspaper (Herald-Examiner) today.

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However, he reported things "will be back in perspective tomorrow" (Thursday, February 13) when the prosecution opens the case for the People.

While there is little argument about the basic facts of Kennedy's murder, Chief Dep. Dist. Atty. Lynn D. Compton told Douglas, "there are things people don't know."

These will be revealed when the prosecution makes its opening statements to the jury and alternates, "but they will ring loudest in the ears of the man whose fate they are designed to seal -- Sirhan," continued Douglas.

After the presentation by the prosecution, one of the defense attorneys, Amile Zola Berman, will speak, said the newspaper.

"The defense strategy is to move as rapidly as possible to take the edge off" of the prosecution's presentations, "which it admits will be very damaging."

The prosecution "is going for the jugular. Sirhan admits slaying Kennedy, and his lawyers concede he cannot escape punishment. But they want that penalty to be paid in prison, not in the death house.

"The prosecution wants the jury to find the youthful Jordanian immigrant guilty of first degree murder, and then, in the subsequent penalty trial, to condemn him."

Continued the newspaper:

"The defense views the Kennedy murder, in part, as a political assassination." As it seeks to prove that Sirhan acted under 'diminished capacity' -- that his killing of Senator Kennedy was without malice -- (Defense Lawyer Russell) Parsons believes that it may be necessary to show

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that obsession with the Arab-Israeli struggle, and Kennedy's avowed espousal of the Israeli cause preyed on Sirhan's mind. Witnesses will be produced to testify to this.

"Nucleus of the defense case will be the Sirhan family, compatriots of the young Arab, and a team of forensic psychiatrists, headed by UCLA's Dr. Bernard Diamond.

"Then, forecasts Dep. Dist. Atty. David Fitts:

"The true arena of this conflict will become the mind of Sirhan Sirhan."

Meanwhile, another Los Angeles newspaper (Times) today declared that "Sirhan Bishara Sirhan probably will plead guilty to first-degree murder in the slaying of Sen. Robert F. Kennedy . . ."

* * *

THURSDAY, FEBRUARY 13 -- The prosecution made its opening statement today in the Sirhan B. Sirhan case, after Superior Judge Herbert V. Walker denied a motion for mistrial made by Defense Lawyer Grant B. Cooper.

The motion for a mistrial was based on grounds that a story in a Los Angeles newspaper (Times) yesterday "prejudiced Sirhan's rights to a fair trial by saying the 24-year old defendant probably would change his plea from innocent to guilty of first-degree murder," wrote Dave Smith, staff writer.

The denial was issued by the judge after he questioned the jurors privately in chambers. "Though several jurors admitted hearing of the story, Judge Walker said, all agreed they could disregard it and decide the case solely on the basis of evidence produced in court," the newspaper related.

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Dep. Dist. Atty. David N. Fitts made the opening statement for the prosecution and presented this information:

Sirhan was in the Ambassador Hotel kitchen 47 hours before the assassination and was seen by two witnesses.

Returning to the kitchen on June 5, 1968, Sirhan shot the Senator at almost point-blank range, firing several shots which fatally wounded Kennedy and injured five others.

On the day of the shooting, Sirhan spent most of the time at the San Gabriel Valley Gun Club, and told another club patron he was going to use his gun for hunting.

"It could kill a dog," Fitts said Sirhan told a witness who will testify later in the trial, reported a Los Angeles newspaper (Herald-Examiner).

Sirhan told Jess Unruh, former State Assembly speaker, he shot Kennedy "for my country." The statement was made when Unruh accompanied Sirhan and two police officers to the Rampart Division Police Station following the arrest of the Jordanian immigrant. Unruh will testify to this Fitts said, according to the newspaper.

Fitts began his presentation with a series of key dates, which he listed in chronological order.

The first was August 10, 1965, when Albert Leslie Hertz purchased a .22 caliber "Cadet" Iver-Johnson, eight-shot revolver. The pistol eventually found its way into the possession of George Erhart, a co-worker of Munir Sirhan, the defendant's brother.

On the next date, on or about February 2, 1968, Fitts added, Erhart drove to the Sirhan home in Pasadena, with a companion and "in the

daylight hours waited jointly for Munir and Sirhan Sirhan." The purpose of the visit was to sell Munir the gun, reported the newspaper.

Munir produced \$19 and the defendant paid \$6 for the gun.

On June 1, 1968, Sirhan visited a gun shop in Pasadena, where he purchased "several boxes of .22 caliber ammunition called 'mini-magnum' from a clerk," said Fitts.

"Getting ahead of my story," Fitts continued, "Sen. Kennedy was killed with mini-magnum ammunition."

On June 2, 1968, there was a reception for the Senator and "... among those who attended was Sirhan Sirhan. He was observed in the lobby area" of the Ambassador Hotel.

Fitts also stated that Mrs. Miriam Davis went into the Ambassador kitchen for a drink of water and "she observed Sirhan in one of the kitchens leaning on a bar, dressed casually. She mistook him for a hotel employee.

"She will testify at this trial."

The next date noted by Fitts was June 4, 1968, election day. Sirhan went to the San Gabriel Valley Gun Club where he "spent hours on the pistol range, engaged in rapid fire practice at which he excelled."

On June 5, said Fitts, Sirhan "stood on a tray rack in a recess area immediately alongside the ice machine. Sirhan stepped quickly from the rack . . .

"The Senator stood all unaware.

"Sirhan reached into the waistband of his trousers.

"He walked to the side of Karl Uecker (hotel maitre de standing with Kennedy) . . .

"He extended his right arm across in front of Uecker. His left hand was in the vicinity of the Senator's head . . . and at point-blank range he fired eight shots.

"It is probably the first shot that resulted in the Senator's death 25 hours later.

"The muzzle range (of this shot) was one inch. Kennedy's right hand went to his right ear."

The force of the shots knocked Kennedy to the ground. "He fell backward and came to rest diagonally to the ice machine."

, Fitts said that Bill Barry, a Kennedy bodyguard, wrestled the gun away from Sirhan, but the wiry Jordanian regained it. ". . . the scene was complete pandemonium . . .

"Roosevelt Grier (former football star and member of the Kennedy team) was accompanying Mrs. Ethel Kennedy . . . They were still outside the kitchen.

"Grier is a large man . . .

"He pushed his way through the crowd . . . and wrestled the gun from the defendant . . .

"He gave it to Rafer Johnson (former Olympic decathlon star and another Kennedy partisan) for safekeeping . . ."

Fitts continued, "Johnson asked, 'Why did you do it?'"

"Sirhan answered, 'I will explain.'"

Fitts then proceeded to tell of Sirhan's arrest and his refusal to divulge his name to police.

When Travis White, one of the police officers who arrested Sirhan, asked the defendant about the crime, Sirhan replied: "You think

I am crazy . . . so you can use it in evidence against me . . .'

Sirhan carried no documents when arrested, but did have an automobile key and \$480.10 in cash, including four \$100 bills.

The key led to tracing the defendant's car parked near the Ambassador Hotel. In the car was Sirhan's wallet and a receipt for ammunition bearing his fingerprints.

Sirhan, continued Fitts, was not identified until his brother, Munir, went to the Pasadena Police Station to identify him.

Kennedy, related the deputy district attorney, was taken to the Central Receiving Hospital and later transferred to Good Samaritan Hospital, where a team of physicians, led by Dr. Henry Cuneo, performed brain surgery.

A bullet was recovered which ballistics tests will show was fired from Sirhan's gun, Fitts alleged.

Continuing his narration, Fitts stated:

'At roughly 1:45 a.m., June 6, 1968, the Senator expired. He was pronounced dead by Dr. Cuneo.'

There were 'five bullet holes in the coat the Senator was wearing -- three entry holes and two exit,' said Fitts. 'Tests showed that the muzzle range for all the shots fired ranged from one to six inches.

'The evidence in this case will show that the defendant, Sirhan Sirhan, alone was responsible for this tragic incident.

'He acted alone and not in concert with others . . .' concluded Fitts.

One Los Angeles newspaper (Herald-Examiner) reported that, 'The

defense scored one point during the prosecution opening.

"Fitts tried to make reference to diaries Sirhan kept which were seized in a search of his Pasadena home the morning of the shooting. The defense, which claims they were seized illegally, objected, and Judge Herbert V. Walker, presiding over the trial, sustained their objection."

Before Fitts began his presentation, Judge Walker told the jurors that all of the attorneys were "competent, ethical and good lawyers."

He also stated that opening statements were not to be considered as evidence, but rather as outlines of what the defense and prosecution propose to prove.

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FRIDAY, FEBRUARY 14 -- Sirhan Bishara Sirhan rose from his chair to protest the opening statement of his own defense counsel Friday, as attorney Emile Zola Berman described him as an 'immature, emotionally disturbed and mentally ill youth,' reported Dave Smith, staff writer, in a Los Angeles newspaper (Times).

As Berman said his client, the accused assassin of Senator Robert F. Kennedy, was mentally ill, Sirhan began to rise from his chair and murmured 'No, No,' continued the writer.

At this point, Superior Court Inspector William Conroy leaned over the chair of Michael McCowan, defense investigator, and said "Talk to him, Mike."

McCowan leaned over, pushed Sirhan back into his chair with both hands and lectured him for several minutes as Berman continued his opening statement.

In his remarks, Berman said, "There is no doubt and we have told you this from the beginning, that he did in fact fire the shot that killed Senator Kennedy."

Berman added that his client "admired and loved" the Senator and killed the Senator when "he was out of contact with reality, in a trance in which he had no voluntary control over his will, his judgment, his feelings or his actions."

The attorney said that the killing "was unplanned and undeliberate; impulsive and without premeditation or malice, totally a product of a sick, obsessed mind and personality."

He then outlined a story of wartime atrocity and childhood emotional disturbance in Sirhan's first 12 years in his native Palestine,

saying that it was at the sight of violence in the Israeli-Arab conflicts, and exposure to danger and flight from bombs that Sirhan began to experience spells or trances.

Berman claimed that psychiatrists and sociologists would support defense evidence that these experiences left the defendant with obsessions and fantasies that deepened seriously after the family immigrated here in 1957, finally leaving him so mentally deteriorated that he was incapable of premeditated murder, the newspaper reported.

The late Senator's campaign statements in May and June, 1968, advocating U. S. military aid to Israel were a "heavy shock" to Sirhan, said Berman.

In concluding the opening statement, Berman asked the jury "to listen to the evidence, to adopt what science has to offer and to consult your conscience. In short, let true justice be done."

Following the statement, the prosecution called three witnesses, Karl Uecker, assistant maitre d'hotel at the Ambassador Hotel; Edward Minasian, formerly an assistant maitre d'hotel; and Juan Romero, former busboy.

Uecker told the jury that he was leading Sen. Kennedy by the right hand from a victory celebration in the Embassy Ballroom to another party on the floor below when an unidentified Kennedy aide told him:

"No, we're not going to go there. We're going to the press room."

It was last-minute decision, said the hotel official. As Uecker led Kennedy, someone brushed past him quickly as he looked another way, and Uecker heard "something like a firecracker," followed by another and another.

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The first "firecracker," the prosecution told the jury in its opening statement yesterday, was a bullet fired from one inch from the Senator's head, and is believed to have been the shot that resulted in his death 25 hours later.

Minasian, who was also leading the Senator, said he believed Kennedy saw the gun that took his life.

"I believe he raised his hand to try to protect himself because I'm sure he saw the revolver, the same as I did," Minasian told the jury.

The other witness, Romero, said he knelt beside the stricken senator and placed a rosary in the dying hand.

The defense lawyers questioned the three witnesses "closely on the placement of large wall mirrors outside the Embassy Ballroom, where Sirhan is said to have loitered for much of the evening," reported a Los Angeles newspaper (Times).

Continued the article:

"The purpose of these questions was not specified, but they seemed to indicate the defense might attempt to show that Sirhan was in a state of self-induced hypnosis at the time of the slaying.

"The questions recalled Berman's earlier statements about Sirhan's dabbling with mystic experiments with fishing sinkers, candles and mirrors, his "spells" and "trances" and hypnosis performed on him since the assassination by defense psychiatrists.

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MEMORANDUM

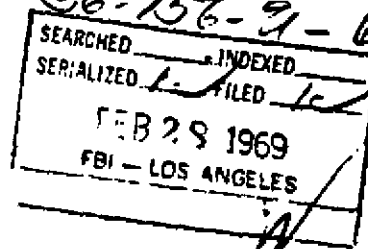
TO: MEMBERS OF THE PRESS, RADIO, TV COVERING THE SIRHAN TRIAL
FROM: EVELLE J. YOUNGER
Los Angeles County District Attorney
SUBJECT: WEEKLY SUMMARY
DATE: JANUARY 6, 1969

Because of widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Los Angeles County District Attorney's Office has been publishing a weekly summary of activities in connection with the case.

The summaries are for release on Wednesdays after 10 a.m. and may be obtained from Jerry Littman, District Attorney's News Secretary, Room 618, Hall of Justice, after 4 p.m. each Tuesday, until the trial's conclusion. Additional information may be obtained by calling 626-3888, Extension 82396.

Back issues of the Weekly Summary may also be obtained from the news secretary.

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: IMMEDIATELY

DIST. ATTY. EVELLE J. YOUNGER NAMES THREE DEP. DIST.

ATTYS. AS PROSECUTORS IN SIRHAN B. SIRHAN CASE

Three men in the Los Angeles County District Attorney's Office have been named by Dist. Atty. Evelle J. Younger to prosecute Sirhan B. Sirhan, the accused assassin of Sen. Robert F. Kennedy.

Heading the unit is Chief Dep. Dist. Atty. Lynn D. Compton, who is assisted by Dep. Dist. Attys. John E. Howard, head of the special investigations division, and David N. Fitts.

Younger, who was re-elected to his second four-year term as district attorney in June, 1968, was born in Nebraska, and received his A.B. and LL.B. degrees from the University of Nebraska.

He has served as an FBI agent, deputy Los Angeles city attorney, Pasadena city prosecutor, Municipal and Superior Court judge and is presently a brigadier general in the Air Force Reserve.

Compton joined the district attorney's staff in 1951 and was appointed chief deputy district attorney in 1966. He has had extensive trial experience, including capital cases as have his two associates. He graduated from Loyola University Law School in 1949.

Howard joined the district attorney's staff in 1952 and has served as County Grand Jury advisor and in the major frauds and trials divisions. He graduated from Loyola Law School in 1951.

The third prosecutor, Fitts, joined the staff in 1954 and has been in the trials division since 1958. He received his law degree from Stanford in 1950.

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Tuesday, Jan. 7, 1969

SPECIAL SUPPLEMENT TO WEEKLY SUMMARY

Re: The Assassination of
Senator Robert F. Kennedy

Note to editors: Because of widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is a special supplemental summary, and others will be for release on subsequent Wednesdays.

FRIDAY, JANUARY 3 -- The Los Angeles County Grand Jury, in its 1968 report issued today, said "the most notable of the cases heard...was the indictment of the alleged assassin of Senator Robert F. Kennedy.

"Senator Kennedy was killed during the early morning hours of June 5, 1968. By Friday, June 7, 1968, the Grand Jury had heard 23 witnesses and returned an indictment against Sirhan Bishara Sirhan for the assassination of Senator Kennedy.

"Special arrangements were made to accommodate all of the representatives from the news media who had converged upon the Hall of Justice to report the proceedings.

"Arrangements were also made to escort the Grand Jurors to and from the hearing room."

* * *

SUNDAY, JANUARY 5 -- Sirhan Bishara Sirha, the 24-year old Jordanian immigrant, accused of assassinating Senator Robert F. Kennedy, was described today in a Los Angeles newspaper (Herald-Examiner) "as a man of many moods."

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The newspaper quoted his brother, Said, of New York, noting that Sirhan "is a nice kid." His former employer, John H. Weidner, described Sirhan as a man "who knows very well what he is doing," while former classmates said Sirhan was intelligent, thoughtful, polite and moody.

Meanwhile, another Los Angeles newspaper (Times) devoted much space to "Sirhan -- the Wanderer -- Never Found His Way."

The Times related that "though he has pleaded innocent, that he shot Kennedy is beyond dispute; he was seized before he finished shooting. What is pertinent, and what the defense will hinge upon, his attorney says, is 'Why he did it? Is he responsible?'"

In the Times article, Robert C. Toth and Dave Smith, staff writers, tell of Sirhan's background as described "by those closest to him."

His father told the writers that, "In 1948, he saw many things, woundings and sufferings..." Another person notes that the accused assassin was "religious, clever. Every Sunday he went to Sunday School. He prayed before going to bed."

A former teacher of Sirhan said "He was not a boy in his head. You respected Sirhan when he talked." Someone else added that "He was a clever boy -- very quick -- but unstable and very unhappy."

John Douglas, Herald-Examiner staff writer, said today "the defendant's mental state may occupy more court time than testimony relating to the shooting.

"The somber fact that, if convicted, the young Jordanian immigrant could suffer the death penalty, has been overshadowed in the preliminaries of the case by questions of motive raised again and again by the defense.

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"In the words of Russell E. Parsons, one of Sirhan's lawyers:

"...What are the real issues?

"If he is the man, why did he do it?"

"To the prosecution, headed by Chief Dep. Dist. Atty. Lynn D. Compton, there is little question that Sirhan is guilty.

"The indictment returned by the Los Angeles County Grand Jury alleges that 'on or about the fifth day of June, 1968, at and in the County of Los Angeles...Sirhan Bishara Sirhan did willfully, unlawfully, feloniously and with malice aforethought murder Robert Francis Kennedy, a human being.'

"And that is precisely what Compton and his associates think they can prove.

"There is every indication that the prosecutors will seek the death penalty.

"But if Attorneys Grant Cooper, Parsons and Emil Zola Berman can convince the jury that Sirhan acted without malice, their client could get off with as little as five years in prison."

The Herald-Examiner also recapped what happened on June 5, 1968 in this fashion:

"It was approximately 12:20 a.m. the morning of June 5, 1968. More than 1000 wildly enthusiastic Democrats jostled each other and cheered in the hot jammed Embassy Room of the Ambassador Hotel, a California victory theirs.

"At the Cinderella hour, Sen. Robert F. Kennedy had stepped before the microphone to acknowledge his triumph in the California Democratic primary election and to thank them for their support.

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"The Kennedys and their party, bound for private celebrating at The Factory, changed their planned exit course through the packed crowd in the stifling ballroom.

"Avoiding the room's main entrance, they moved toward a kitchen pantry. In the pantry was a man now accused as the assassin of Sen. Kennedy -- Sirhan Bishara Sirhan.

"Shots rang out.

"A man identified by police as Sirhan was crushed to the floor and a pistol wrenched from his hand.

"Nearby Senator Kennedy sprawled on his back on the floor, his eyes blazing, immobile.

"Twenty-five and one-half hours later Senator Kennedy was dead."

Five other persons were also wounded that night, including Paul Schrade, shot in the head; William Weisel, wounded in the abdomen; Irwin Stoll, shot in the leg; Ira Goldstein, shot in the left hip; and Mrs. Elizabeth Evans, scalp wound.

"All are expected to testify in the murder trial of Sirhan," noted the Herald-Examiner.

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., Feb. 26, 1969
After 10 a.m.

WEEKLY SUMMARY #38

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 38th summary, and others will be for release on subsequent Wednesdays.

MONDAY, FEBRUARY 17 -- The prosecution today called seven witnesses in the trial of Sirhan B. Sirhan, the accused assassin of Sen. Robert F. Kennedy.

Roosevelt Grier, former Los Angeles Ram tackle and now host of a TV show, told the court that he folded Sirhan's leg around his (Grier's) arm "and put him on top of a table."

Soon after grabbing Sirhan, Grier related, he saw "one guy hurting his leg and some people coming at him from the front, so I swung on them and kicked the guy back and they seemed to realize we were trying to save the guy, so they stopped."

Another witness was Assemblyman Jesse Unruh, who said he was "terribly aware that we could have a repeat of the Oswald situation," and shouted repeatedly, "Don't kill him, don't kill him, we've got to keep him alive."

(Lee Harvey Oswald, accused of assassinating President John F. Kennedy in November, 1963, was murdered before being brought to trial).

Unruh also declared that he shouted, "If the system works at all,

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at all, we are going to try this one" -- presumably Sirhan, reported a Los Angeles newspaper (Times).

The newspaper also related that "defense questioning of both Grier and Unruh brought out that Sen. Kennedy's detour through the kitchen corridor where he met death was a last minute change of plan."

Also testifying was Vincent DiPierro, a part-time waiter at the hotel.

The newspaper noted that he had acknowledged seeing a "girl in the polka dot dress" and further acknowledged that on July 1 he admitted his story was false.

"Monday DiPierro testified that he had seen a girl in a polka dot dress earlier that night, and that after talking to another witness, Sandra Serrano, he had 'injected' the girl into the events immediately surrounding the shooting.

"At that time both Miss Serrano and DiPierro described the girl as wearing a black and white polka dot dress and standing near Sirhan, perhaps even talking to him.

"Dep. Dist. Atty. David N. Fitts produced seven photographs of Valerie Schulte, whom Di Pierro said he believed was the same girl. In the photographs, however, Miss Schulte's dress was of yellow polka dots on a golden background. No further connection was made between Miss Schulte and the shooting scene."

Other witnesses today included John W. Gallivan, Jr., an advance man for the late senator; Jesus Perez, Ambassador Hotel kitchen worker; Martin Patrusky, a hotel bartender; and Frank J. Burns, Jr., a Kennedy campaign worker.

"All gave eyewitness accounts of the slaying, Perez and Patrusky

testifying that Sirhan had loitered in the corridor for about half an hour before Sen. Kennedy came through, repeatedly asking if they knew whether he planned to come that way," reported Dave Smith, staff writer for a Los Angeles newspaper (Times).

* * *

TUESDAY, FEBRUARY 18 -- Testifying today for the prosecution in the Sirhan B. Sirhan case were:

Everett C. Buckner, rangemaster of the San Gabriel Valley Gun Club where Sirhan went target-practicing June 4, the eve of the assassination;

Valerie Schulte, 22, former manager of Senator Robert F. Kennedy's campaign office in Goleta, and who was identified from photographs as the girl Vincent DiPierro, a witness yesterday, thought he saw near the scene of the shooting at the Ambassador Hotel;

William Barry, chief of security for the slain senator; and

Rafer Johnson, former Olympics decathlon champion.

Reported Dave Smith, staff writer for a Los Angeles newspaper (Times).

"The cross-examination of witnesses helped dismiss for awhile the underlying fact that the outcome of this phase of Sirhan's trial -- now seven weeks old -- is a foregone conclusion: Sirhan did kill Sen. Kennedy and will not be acquitted; the only point at issue is determining the penalty.

"En route to that point, the prosecution is laying out its entire case in an effort to show that Sirhan's act was sufficiently premeditated to warrant a conviction of first-degree murder.

"The defense is bearing with the testimony on the uncontested point in order to undermine whatever evidence of premeditation they can and, if necessary, discredit witnesses who could strengthen the prosecution claim of malice aforethought."

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The newspaper reported that Defense Atty. Grant B. Cooper "employed this tactic" on Buckner. In attacking his credibility, "Cooper also wrote the finish to a statement that months ago provided slight fuel to speculation that Sirhan might have been part of a conspiracy."

This came about when Cooper cited a statement of Buckner's last summer.

"Didn't you say that a lady was with him (Sirhan)?" Cooper asked. The witness replied, "No, I said a lady came up and he showed her how to shoot."

Continued Cooper to Buckner, "Did you or did you not say at that time that the lady told Sirhan, 'Get out of here, God damn you. Somebody will recognize us?'"

Buckner denied making the statement, then said he had told police "it sounded that way," and that "I couldn't hear them that well."

Cooper then asked Buckner if he had not taken a lie detector test and flunked it. Buckner answered he had "just flunked on that question."

At this point, Dep. Dist. Atty. David N. Fitts objected to the lie detector tests, stating they were inadmissible. The exchange was stricken from the record.

Miss Schulte told the court that she couldn't have run at all last June 4, because she was on crutches as the result of a skiing accident, and still wears a brace on her right leg.

(DiPierro and Sandra Serrano, a witness yet to be called, told investigators last summer they had seen a girl in a black and white polka dot dress, talking to Sirhan and that she later ran from the scene, shouting, "We shot him.")

Miss Schulte said she was wearing a polka dot dress, but not black and white. She exhibited the garment she wore that night. It was a

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lime green mini-dress with canary yellow polka dots.

The witness also related she never even noticed Sirhan until the first shot was fired.

Barry described in a subdued and halting voice how he got separated from Kennedy, and explained that the Senator after finishing a victory statement jumped from the back of the stage instead of returning in Barry's direction.

(He said he was back in the crowd, assisting Mrs. Kennedy and trying to catch up when the first shot was fired).

Johnson told of his part in the struggle to subdue Sirhan after the first shot was fired. Johnson related that he took possession of Sirhan's gun, after Roosevelt Grier, former Los Angeles Rams tackle, who testified yesterday, disarmed the suspect.

"One brief flurry of excitement interrupted the trial when (Superior) Judge Herbert V. Walker ordered the courtroom cleared after Bailiff Willard Polhemus reported a ticking noise in his desk," reported a Los Angeles newspaper (Times).

"After a short search, it was discovered that telephone repairs in the building were causing a solenoid in Polhemus' desk phone to click at regular intervals."

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WEDNESDAY, FEBRUARY 19 -- The prosecution in the case of Sirhan B. Sirhan, the accused assassin of Senator Robert F. Kennedy today called the following to testify:

George Plimpton, author, editor and Kennedy supporter;

Paul Schrade, regional vice president of the United Auto Workers and a member of the senator's entourage, who was among those injured.

Larry Kenneth Arnot, a former clerk at a Pasadena gun shop;

Mrs. Elizabeth Evans, who was injured the night of the assassination.

Ira Goldstein, who was also injured;

Irving Stroll, another person who sustained injuries;

George C. Erhard, Jr., who sold the gun used in the assassination to Sirhan's brother, Munir;

William Price, who accompanied Erhard and another man to the scene of the gun sale; and

Mrs. Albert Leslie Hertz, who said she gave the gun to her daughter Mrs. Dana Westlake, who also testified today.

Plimpton, according to a Los Angeles newspaper (Times), said that after Sirhan shot Kennedy and was grabbed by aides of the senator, Sirhan was, "compared to the circle of people around him . . . enormously composed. . .

"Amid this hurricane of sound and feeling, he seemed like the eye of the hurricane . . . He seemed purged," the newspaper quoted Plimpton.

The author told the court that immediately after the shooting he grabbed for the gun along with several others, but didn't see the senator

fall to the floor.

"I didn't have enough courage to look back in that direction," he added.

Schrade testified about being seriously wounded in the hail of gunfire and when walking with the senator he observed "all hell breaking loose. I heard some crackling noises, like electricity, and I saw some flashes. I was badly shaken and I thought we were being electrocuted."

He was shot in the head, just above the hairline, but has since recovered.

Arnot, acknowledged under questioning by Dep. Dist. Atty. David N. Fitts that he sold two boxes of .22-caliber ammunition to Sirhan.

"Then," related a Los Angeles newspaper (Times) "he began to tell of three men -- one of them presumably Sirhan -- who entered the shop on the date of the sale.

"Arnot was quickly interrupted by Fitts, who asked him if a lie detector test later administered to him had not cast doubt on that story.

"Arnot admitted that this was true.

"Defense Atty. Grant B. Cooper then asked Arnot: 'The truth of the matter is, you don't remember to whom you sold that ammunition, do you?'

"'No,' said Arnot."

Erhard said he and Price and another person, whom he could not remember, met Munir Sirhan on a Pasadena street corner and sold the gun to Munir for \$25, after originally demanding \$30.

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Price related that Munir Sirhan borrowed \$5 from Sirhan Sirhan when Munir purchased the gun. Price also recalled holding the weapon and turning it over to Sirhan B. Sirhan.

Tracing the history of the gun was Mrs. Hertz who said her husband originally purchased it following the Watts riots of 1965. She testified she gave the gun to her daughter, Mrs. Westlake, and told her to "throw it on the dump," according to a story in a Los Angeles newspaper (Times).

Mrs. Westlake testified she didn't throw the gun on the dump but instead stored it in the attic of her home.

In the fall of 1967, she gave it to Erhard, the newspaper related.

* * *

THURSDAY, FEBRUARY 20 -- "Superior Judge Herbert V. Walker's insistence that the jury determine any penalty in the murder of Senator Robert F. Kennedy has all but eliminated the possibility of a guilty plea by Sirhan Bishara Sirhan," a Los Angeles newspaper (Times) reported today.

Continued the article:

"Sirhan and his attorneys were willing to plead guilty to first degree murder last week -- on condition that the defendant be guaranteed a life term rather than the death penalty.

"But Sirhan balked at the last minute, when Judge Walker refused to give his required consent to the arrangement. The 69-year old jurist indicated he would accept a guilty plea only on condition that the penalty be set by the jury.

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"Later he is said to have confided that his reason for this was a resolve to guarantee a full airing of the facts surrounding the senator's assassination.

"Sirhan then reportedly took the position, after consulting with his lawyers, that the jury might vote the death penalty even if it were not sought by the prosecution."

The article then raised the question of why the prosecution and defense decided to take the proposal of a change of plea to Judge Walker."

Said the newspaper:

"The defense attorneys conceded that Sirhan did the shooting. They have publicly stated that their main goal in the case is to save his life.

"By agreeing to a change in plea, with a guaranteed life prison term, they would have accomplished such a mission.

"The prosecution, on the other hand, fully intended from the beginning to seek the death penalty -- and felt there was a good chance of success.

"However, psychiatric reports furnished to both prosecution and defense reduced these chances.

"The prosecution is said to have felt that if it had only a marginal chance of securing the death penalty for Sirhan, the interest of the public might best be served by accepting a guilty plea, with life in prison, thus saving a great deal of time and expense and personal anguish for the families and individuals involved.

"And the prosecution has indicated that it would make public the full record of its investigations in the event of a guilty plea.

"Presumably there still could be a change of plea. But that is unlikely unless either Judge Walker or Sirhan reverses his present thinking.

"Meanwhile, the prosecution is pushing ahead with its case against Sirhan."

Another Los Angeles newspaper (Daily Journal) today reported that the estimated cost to Los Angeles County for the trial reached \$395,960, as of January 31.

They quoted County Supervisor Kenneth Hahn as noting he thought the expense was worth it if it would prevent the necessity of preparing another Warren Commission report. However, he said, he would continue to watch the expenses.

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THURSDAY, FEBRUARY 20 -- Defense attorneys for Sirhan today made a second motion for a mistrial on grounds their client's defense was prejudiced by a story in the Los Angeles Times (see above for details).

Superior Judge Walker, reported the newspaper, 'denied the motion at an in-chambers session highlighted by a prosecution request that such closed proceedings, both past and future, be made public.'

Chief Dep. Dist. Atty. Lynn D. Compton, who heads the three-man prosecution team, said, "We think one of the vices of the whole situation . . . and what creates a problem, is the idea of sealing (transcripts) and secret sessions.

'We just feel that everything has got to be on the record and public and that there should be no secret negotiations, conferences or matters which are in that category.

'I would oppose any further . . . proceedings which are sealed, secret or otherwise handled in that fashion,' Compton concluded.

Meanwhile, Grant B. Cooper, one of the three defense attorneys, answered that in plea bargaining, 'it is always a secret matter.'

In open court, the prosecution continued its case against the accused assassin of Sen. Kennedy and called the following to testify:

Mrs. Elizabeth Evans, who was one of five persons injured at the Ambassador Hotel, where the senator was assassinated;

Ira Goldstein, former newspaperman who was also injured;

Officer James E. Claborne and Sergeant Riley W. Maxwell, Los Angeles Police Department fingerprint experts;

Judy Royer, a secretary for former California Gov. Edmund G. Brown, who worked for the Kennedy campaign and witnessed the slaying.

Telling of the shooting, Goldstein said he 'heard loud popping noises.'

In response to a question from Dep. Dist. Atty. David N. Fitts, Goldstein said he heard two of them at first. I quickly moved to my left. I stepped over someone who had fallen to the ground.'

Mrs. Evans, under questioning by Dep. Dist. Atty. John Howard, said she 'heard a sound like firecrackers. I lost my shoe. Everything happened very fast.'

She told of being taken to a table and finally by ambulance to a hospital, where she underwent surgery for the gunshot wound.

(Sirhan is on trial for the assassination of Sen. Kennedy, and is also charged with five counts of assault with a deadly weapon with intent to commit murder against Mrs. Evans, Goldstein, Irwin Stroll, Paul Schrade and William Weisel).

According to a Los Angeles newspaper (Herald-Examiner), 'Police Officer Travis White . . . scored an important point for the prosecution' today.

In his opening statement, Defense Atty. Emile Zola Berman told the jury the defense intended to prove that Sirhan was 'in a trance and intoxicated' when he admittedly shot Kennedy, said the newspaper.

However, White testified that a pupil-reaction test of Sirhan's eyes, taken minutes after his arrest, indicated he was not drunk.

Explaining the test, White said he shined a light in Sirhan's eyes in a darkened room and that the pupils contracted normally. An indication of intoxication, he said, would have been a slow contraction. White also looked for other indications of intoxication -- eyes watering,

weaving, blurred speech and alcoholic breath -- and could find none.

Sergeant Maxwell and Officer Claborne testified to discovering Sirhan's fingerprints on his car parked three blocks from the hotel. In the car was a sales slip for ammunition purchased at a Pasadena gun shop for Sirhan's .22-caliber revolver used to shoot Kennedy.

The sergeant also related that he found Sirhan's fingerprints on the sales slip.

Miss Royer testified to seeing Sirhan hanging around press headquarters for the Kennedy campaign before the shooting. She told him to go away and he did, she revealed.

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FRIDAY, FEBRUARY 21 -- The prosecution in the case against Sirhan B. Sirhan, the accused assassin of Sen. Robert F. Kennedy, today called the following to testify:

Alvin Clark, a Pasadena trash collector befriended by the accused assassin;

Irwin Stroll, who was among the five wounded on the night the senator was killed;

William Weisel, who was also injured;

Dr. Stanley Abo, a physician who attended the Kennedy victory party, and who aided the stricken senator moments after the shooting; and

Mrs. Miriam Davis, a Kennedy campaign worker.

According to a Los Angeles newspaper (Times), Sirhan was arguing with Clark soon after the assassination of Martin Luther King, Clark testified.

Sirhan, related Clark, said:

"What are you going to vote for that son of a B for? Because I'm planning on shooting him."

Continued the newspaper:

"Sirhan did, less than two months after that conversation, and prosecution witness Alvin Clark testified to defense attorney Amile Zola Berman Friday that he told the FBI the following September that he was unwilling to testify against his accused friend -- but the reason was not friendship now."

"'Didn't you tell the FBI you did not want to take the oath because you hated Sirhan so much you'd do anything to see him convicted?'" asked Berman.

'Yes, I did,' said Clark.

Dep. Dist. Atty. David N. Fitts quickly interjected: 'Have you told the truth here, sir?'

'Yes,' Clark replied firmly. I have.'

Sirhan, Clark related, according to the newspaper, fell into the habit of providing coffee, soft drinks and sandwiches to Clark when he made the usual Wednesday trash pickup at the Sirhan home. I thought very much of him, said Clark.

Stroll testified that he was a Kennedy volunteer worker guarding a doorway when he was cut down by a bullet in his left calf.

I felt someone kick me, said Stroll, adding that he didn't know at first he had been shot. Then I noticed -- because I had on blue pants -- that one of my legs was red.

One of the defense attorneys, Grant B. Cooper, cross-examined Stroll, and asked if he (Stroll) had brought an action of a million and a half dollars against the defendant for the injury to his leg.

Stroll answered that he had.

(The suit, filed earlier this month, actually seeks \$1,050,000.)

Dr. Abo said Kennedy's right eye was open, staring aimlessly, and the left eye was closed. As he bent to see if Kennedy needed artificial respiration, Abo related, the senator's left eye opened very quickly with a puzzled look.

He also said that when Mrs. Ethel Kennedy arrived at her husband's side, the senator reached out and took her hand and spoke to her.

The defense objected that the conversation was immaterial and the objection was sustained, reported the newspaper.

Mrs. Davis told of seeing Sirhan in a kitchen in the Ambassador Hotel on June 2, 1968 -- some 47 hours before Kennedy was shot. The prosecution contends he was 'casing' the place, said a Los Angeles newspaper (Herald-Examiner).

Meanwhile, Dr. Thomas T. Noguchi, county chief medical examiner-coroner, who was in charge of conducting the autopsy on the senator, may face ouster proceedings, a Los Angeles newspaper (Times) reported.

. . . dissatisfaction arose over Dr. Noguchi's asserted delay in handling the autopsy . . ., stated the newspaper, referring to a statement by L. S. Hollinger, county chief administrative officer, that he has asked Noguchi to resign.

Dr. Noguchi said today that no one could have done a more thorough job in the autopsy.

We did everything that should be done, he insisted. If there was a delay, it was indeed justifiable.

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., March 5, 1969
After 10 a.m.

WEEKLY SUMMARY #39

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 39th summary, and others will be for release on subsequent Wednesdays.

SUNDAY, FEBRUARY 23 -- Prosecutors intend to conclude their case against Sirhan Bishara Sirhan by midweek -- showing why the young Arab should die in the gas chamber for the murder of Sen. Robert F. Kennedy, according to Myrna Oliver, staff writer, in a Los Angeles newspaper (Herald-Examiner) today.

The newspaper reported there might be a hassle over admission into evidence of diaries kept by Sirhan before the June 5 slaying . . . and this could extend the prosecution's case.

One of Sirhan's attorneys, Russell V. Parsons, sought in pre-trial maneuvers to have the diaries suppressed as evidence, claiming they were seized illegally at Sirhan's Pasadena home.

However, Superior Judge Herbert V. Walker, who is presiding, ruled on Oct. 22 that the diaries would not be suppressed. He said they could be introduced in court and that he would rule on their admission at that time.

The writer, noting that when the trial began Jan. 7 it was expected to last three months, quoted Parsons as saying, I think they (the

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SERIALIZED	FILED
MAR 7 1969	
FBI - LOS ANGELES	

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prosecution) are trying to shorten the trial. It is going much faster than we thought.

Although the prosecution said they would call 80 witnesses, they have not substantially reduced the planned number of witnesses, but they have raced through the questioning, and will conclude their case in about two weeks of testimony, said the newspaper reporter.

Also speeding up the trial is a move by defense to diminish the cumulative impact of the prosecution witnesses' testimony. By refusing to cross-examine witnesses at length or at all, they reduce the growing bulk of words, that could work against Sirhan.

Grant B. Cooper, chief defense counsel, told the newspaper, he planned to have the Sirhan family -- the mother, brothers and Sirhan himself -- testify, followed by psychiatrists.

Cooper has estimated his case will take three to four weeks.

* * *

MONDAY, FEBRUARY 24 -- The prosecution in the Sirhan B. Sirhan case today called the following to testify:

DeWayne Wolfer, Los Angeles Police Department ballistics expert; Sergeant William E. Brandt, Los Angeles Police Department, who searched the Sirhan home in Pasadena for evidence relating to the case; and

Dr. Henry M. Cuneo, neurosurgeon at Good Samaritan Hospital who operated on Sen. Kennedy about three hours after the shooting at the Ambassador Hotel.

At today's session, color photographs from the coroner's inquest on the senator were shown to the jurors for the first time.

The small courtroom was quiet as the 12 regular and six alternate

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jurors examined the two photographs silently, with little visible reaction, passed them on and examined the fatal bullet and the senator's shredded coat, reported Dave Smith, staff writer, in a Los Angeles newspaper (Times).

The photographs were introduced as Dep. Dist. Atty. David N. Fitts questioned Wolfer. Grant B. Cooper, defense attorney, objected that the photographs were highly inflammatory and immaterial to the issues in this case, but Superior Judge Herbert V. Walker overruled the objection.

It was pointed out by Smith that the defense has admitted throughout the trial, now eight weeks old, that Sirhan fired the shot that killed Sen. Kennedy after he won the California Democratic primary last June 4.

Continued the newspaper article:

The photographs show the right side of Sen. Kennedy's head partially shaved, with the bullet wound behind the right ear and extensive 'tattooing' -- powder burns and lead and powder particles imbedded in the skin -- on and behind the ear.

Wolfer testified that tests showed the fatal wound -- a .22 caliber bullet in Sen. Kennedy's brain -- was fired from about one inch from the senator's head.

Wolfer also testified that Sen. Kennedy's coat showed five bullet holes -- three entry holes and two exit holes. Besides the fatal bullet to the brain, another bullet was found in soft tissue near the sixth vertebra, Wolfer testified.

Also admitted into evidence today, despite defense objections that it was irrelevant to the case, was the senator's coat, cut away from his body and later crudely stitched together for ballistics and firing tests.

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Sirhan became agitated shortly before adjournment, reported the newspaper, as Fitts, questioning Sgt. Brandt began leading up to the controversial diaries in which Sirhan is reported to have written 'Kennedy must be assassinated before June 5.'

As the three 8½-by-11 inch spiral notebooks were shown to the police sergeant, Sirhan began whispering urgently to his attorneys. Cooper quickly asked Judge Walker for a recess, saying 'our client has requested it,' continued the newspaper's account.

The judge instead adjourned court for the day.

Cooper later told newsmen that Sirhan didn't want the notebooks admitted into evidence and mistakenly thought they had been accepted into evidence without objection from his defense, added the newspaper.

They hadn't, but it is a certainty that they will be, related the newspaper.

Reporter Smith said the prosecution claims the notebooks show Sirhan's premeditation to murder Sen. Kennedy. And while the defense has moved to suppress those portions of Sirhan's diaries, the defense nonetheless plans to use other portions to support their contention that Sirhan's capacity to plan was diminished by obsessive traits.

The defense, in fact, quoted from the notebooks in its opening statement, citing a so-called 'declaration of war against American humanity' by Sirhan last May.

Before adjournment, Brandt told of going to the Sirhan home and admitted that he did not have a search warrant. The newspaper related that he didn't attempt to get one after being given Adel's (Sirhan's brother) permission to enter the home.

In his testimony, Dr. Cuneo described how after a tracheotomy, the senator's essential life functions stabilized to the point where a medical team felt he could withstand surgery, and how, after the tracheotomy, Sen. Kennedy's condition remained stable for more than 10 hours.

Cuneo continued that the senator's blood pressure, pulse, cardiac condition and breathing were relatively normal after the surgery -- so that he was breathing on his own, without mechanical aid -- until the afternoon of June 5, when electroencephalograph monitoring showed that the brain functions were beginning to fail.

' Kennedy was pronounced dead at 1:44 a.m. on June 6, slightly more than 25 hours after the shooting.

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TUESDAY, FEBRUARY 25 -- Six pages of chaotic, sometimes illegible scribbling in a spiral notebook, along with samples of (Sirhan B.) Sirhan's handwriting and two envelopes were admitted into evidence today, according to a Los Angeles newspaper (Times).

The writings by the 24-year old Jordanian immigrant, accused of assassinating Sen. Robert F. Kennedy and injuring five other persons showed his anger at the United States, a firm but obviously uninformed belief in communism and a growing determination to kill the senator, added Dave Smith, staff writer, in the newspaper.

In another Los Angeles newspaper (Herald-Examiner), John Douglas, staff writer, noted that the defendant's emotional state has taken center stage in his murder trial and his lawyers doubt their ability to control him when diaries -- in which he expressed his desire to kill Sen. Robert Kennedy -- are read to his jury.

The reporter noted that Sirhan tried twice today to plead guilty and halt his trial rather than allow the jury to learn the contents of three diaries he kept prior to June 5, 1968, when he admittedly shot the New York senator.

Grant B. Cooper, one of Sirhan's attorneys, said "We're not going to let him plead guilty, and that his client blew his top, that's all," referring to what happened in court today.

The Times said that Sirhan's sudden change of heart came . . . in Superior Judge Herbert V. Walker's chambers, before the trial resumed with argument on admission of notebooks in which Sirhan wrote of his intent to assassinate Sen. Robert F. Kennedy."

One of the envelopes was found last June 6, hours after the

sprang to his feet and shouted in Arabic. At this point, Compton was referring to Sirhan's advocating the overthrow of the country.

Meanwhile, in a somewhat related matter, the county coroner-chief medical examiner, Dr. Thomas Noguchi, who was in charge of the autopsy on Sen. Kennedy, resigned effective March 4.

L. S. Hollinger, chief county administrator, and members of the County Board of Supervisors were slated to go into executive session today to hear Hollinger's complaints against Noguchi. The meeting was adjourned amid reports of Dr. Noguchi's possible resignation.

Last Friday, Dr. Noguchi defended his record, including the autopsy on Kennedy. Hollinger insisted he was not referring to the Kennedy death when he issued a statement that he had received "a number of complaints and charges about the way Dr. Noguchi runs his office."

* * *

WEDNESDAY, FEBRUARY 26 -- Los Angeles County Dist. Atty. Evelle J. Younger today issued a statement denying a report by Frank Mankiewicz and Tom Braden that Secretary of State William Rogers had "approved" a possible disposition in the Sirhan case.

The comment appeared in a column by the pair in the Washington Post, which Younger termed inaccurate. Mr. Rogers did not discuss this case with me. He did not approve, disapprove or otherwise comment upon any phase of the Sirhan case.

In his statement issued today, the prosecutor repeated an earlier statement (February 11), in which he remarked:

"In the event the government wished to make any comments concerning the disposition of this case insofar as it may have international

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implications, and insofar as it may particularly relate to problems in the Middle East, I wanted them to be able to do so.

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I made it convenient for appropriate officials in the government (present administration) to express an opinion to me -- they declined and made no comment or recommendation, concluded Younger in February.

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Today he said, This statement was true at the time. It is still true. Mr. Rogers has not discussed the Sirhan case with me to this date. He has made no recommendations. I don't anticipate that he will.

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The Mankiewicz-Braden column related that The State Department specifically approved an agreement reached here (Los Angeles) last week by which Sirhan Sirhan would change his plea to guilty in exchange for a sentence of life imprisonment.

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Los Angeles Dist. Atty. Evelle Younger advised Secretary of State William Rogers in Washington of these possibilities in the bargaining between his office and the Sirhan defense staff and received approval of Rogers for the plan.

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In court today, the prosecution called its final three witnesses to testify, but indicated it would recall Laurence Stone, handwriting expert for the District Attorney's Office, Monday. Stone established that the Sirhan Diaries were in the defendant's handwriting.

The prosecution today questioned:

Dr. Thomas Noguchi, county coroner-medical examiner;

Dr. V. Faustin Bazilauskas; and

Lt. William C. Jordan, Los Angeles Police Department.

In nine days, the prosecution called 56 witnesses out of 80 it had ready, and offered the jury 20 exhibits.

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Walker: No.

Sirhan: I at this time, sir, withdraw my original plea of not guilty and submit the plea of guilty as charged on all counts. I also request that my counsel disassociate themselves from this case completely.

Walker: Do I understand -- stand-up -- do I understand that you want to plead guilty to murder in the first degree?

Sirhan: Yes, sir, I do.

Walker: All right, and what do you want to do about the penalty?

Sirhan: I will offer no defense whatsoever.

Walker: The question is, what do you want to do about the penalty?

Sirhan: I will ask to be executed, sir.

Walker: Now, I know of nothing in the law that permits a defendant under any circumstances to enter a plea of guilty to murder of the first degree and ask for execution.

Sirhan: Well, I have, sir.

Walker: Well now, just a minute. Why do you want to do this?

Sirhan: I believe, sir, that is my business, isn't it?

Walker: No, it isn't. Now, when we come to accept a plea, you have to give a reason.

Sirhan: I killed Robert F. Kennedy willfully, premeditatedly, with 20 years of malice aforethought, that is why..

Walker: Well, the evidence has to be produced here in court.

Sirhan: I withdraw all evidence, sir.

Walker: There is no such procedure.

Sirhan: To hell with it.

Walker: Well, the court will not accept that plea. Proceed with

Sirhan: No, sir, I still maintain my original point. I plead guilty to murder and ask to be executed.

There was some additional exchange between the judge and Sirhan, and a recess was called. After the recess, and before the jury was brought back into court, Cooper told Judge Walker that his client has advised us definitely, positively and unequivocally that he does not desire us to continue to represent him.

Cooper then said the three-man defense team was perfectly willing, as a matter of fact I might say anxious, to withdraw from the case and let him either represent himself or be represented by other counsel.

Cooper said, however, that they would be willing to continue and that the attorneys did not want to appear to be deserting Sirhan. Judge Walker denied the offer to withdraw, saying good cause for such withdrawal had not been shown and adding that Sirhan appeared clearly unable to represent himself.

The trial continued, the jury was led in and Mrs. Mary Sirhan, the defendant's mother, was called to testify. However, as her voice quavered, Judge Walker adjourned court.

He noted, "I can't conceive of a worse set of circumstances under which a mother could be called to testify. I think she shows great courage."

Others called today by the defense included:

Ziad Hashimeh, 25, a childhood friend of Sirhan's; and

Baron Sarkees Nahas, a Palestinian nobleman and former United Nations official.

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., March 12, 1969
After 10 a.m.

WEEKLY SUMMARY #40

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 40th summary, and others will be for release on subsequent Wednesdays.

MONDAY, MARCH 3 -- Sirhan Bishara Sirhan today admitted from the witness stand at his murder trial that he killed Sen. Robert F. Kennedy and had "no doubt" he shot and wounded five other persons in Los Angeles on June 5.

Also testifying today were an elder brother, Adel, 30, and the defendant's mother, Mrs. Mary Sirhan.

Under questioning by one of his attorneys, Grant B. Cooper, Sirhan when asked if he also shot and wounded Paul Schrade, a United Auto Workers official, replied, "If that's what the indictment reads, I must have."

Sirhan said he never heard of Schrade nor did he have any knowledge of, or malice toward, Irwin Stroll, William Weisel, Elizabeth Evans or Ira Goldstein, who were also wounded.

"I was not aware of anything," Sirhan added.

One Los Angeles newspaper (Times) described the defendant as almost relishing his turn on the witness stand. His answers came clearly and quickly, sometimes even before Cooper's questions.

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SEARCHED	INDEXED
SERIALIZED	FILED
MAR 25 1969	
FBI - LOS ANGELES	

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At one point, Sirhan even supplied a word when Cooper groped for another term for bombing noises.

The newspaper noted Sirhan's demeanor 'was almost sunny' in comparison to his 'emotional blowups last week when he demanded to fire his three-man defense team, plead guilty and be executed.'

The 'temper tantrums last week came when the prosecution began introducing into evidence the notebook pages on which Sirhan had written 'Robert F. Kennedy must be assassinated.'

On Friday, Sirhan told Superior Judge Herbert V. Walker that if the notebooks were admitted, he wouldn't be getting a fair trial. However, today, Cooper read that very page, with Sirhan following eagerly as Cooper intoned: May 18, 9:45 a.m., '68. My determination to eliminate RFK is becoming more the more (sic) of an unshakeable obsession.

Sirhan said the handwriting was his and that the phrase 'Port Wine' was the name of a horse. He admitted writing 'please pay to the order of . . . several times; and the repeated injunction, 'RFK must be assassinated.'

Following this, Cooper began questioning the defendant about his family's life in war-torn Jerusalem, where Sirhan was born on March 19, 1944.

Sirhan recalled 'quite vividly' the death of an Arab soldier who was blown up by dynamite when Sirhan was three or four; and noted that the family fled during the 1948 Israeli-Arab hostilities from the new part of Jerusalem to the former Jewish quarter of the old Walled City.

The reason for the flight, Sirhan was told, was because 'The Jews kicked us out of our homes. The Zionists kicked us out. We were terrorized out of leaving our homes.'

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Sirhan also described for the court the massacre at the village of Dair Yasin in April, 1948, when Arab girls with mutilated breasts were paraded in front of us, to terrorize us and get us out of our homes.

He also recalled the family's flight to the old Walled City. I was naked, he said, and the family was in a state of panic.

After settling there, he said, he heard bombings on an average of once a week from 1948 until the family left Jerusalem for the United States in 1956.

The Sirhan family subsisted on United Nations Relief and Works Agency rations, the defendant continued, including brown sugar, margarine, flour, beans, and a gallon of kerosene in the winter.

Also described by Sirhan was the incident in which he saw a neighborhood shopkeeper's body after a bombing and of being sickened by the sight of a human hand in a bucket of well water he drew one day.

Adel Sirhan testified about many of the incidents recited by the accused assassin and also told of a change in his brother after Sirhan fell from a horse in September, 1966.

Adel described his younger brother before the fall as friendly, ambitious and doing well in school except when our sister (Ayda, who died in 1965, of leukemia) was sick, reported a Los Angeles newspaper (Times).

After the fall, related Adel Sirhan, his brother became irritable, nervous, stayed home more and read a great deal.

Sirhan, said his brother, once had a fight with a younger brother, Munir, 21, and sometimes argued with his family when they watched television newscasts of Middle East conflicts, demanding: "How can you sit there and watch these things being done to people?"

Adel also told of hearing Sirhan talking to himself in his bedroom. Dep. Dist. Atty. David N. Fitts asked if Sirhan couldn't have been reading aloud or studying his German or Russian courses. Adel said he might have.

Adel told of finding his brother sitting in his room with a lighted candle on the desk before a mirror as he read from literature he got from the Rosicrucians, an order which espouses the development of one's mental powers over matter.

The newspaper added that the defense has claimed that Sirhan was in a virtual trance when he killed Sen. Kennedy -- a trance similar to those he suffered at traumatic scenes in his childhood.

'They also claim he later induced such trances through his obsessive personality and his mystical experiments with self-hypnosis.'

Also on the witness stand was Sirhan's mother, who related a series of incidents she said her son witnessed as a child. Each time, she said, he was seized by a fit of shaking, the color would drain from his face, his lips would go dry and he would sometimes 'black out' remaining ill for days.

Mrs. Sirhan remarked, 'We are lucky in this country. I want you to know this. Everybody is blessed in the United States.' At this outburst, the judge cautioned her to restrict testimony to answering questions directly.

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TUESDAY, MARCH 4 -- Sirhan B. Sirhan, the accused assassin of Sen. Robert F. Kennedy 'created a lecture atmosphere' in court today 'that

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gave rise to grave doubts in the minds of his hearers as to the accuracy of his IQ test, reported last week as 89, slightly below the 90-110 range considered average," Dave Smith, staff writer, noted in a Los Angeles newspaper (Times).

On the witness stand for the third day, Sirhan said he first learned of Kennedy's support for Israel last May and that he hated the senator so much that "if he were in front of me, the way I felt then, so help me God, he would have died. Right then and there.

"He was doing a lot of things behind my back that I didn't know about. It just burned me up," related the defendant.

Sirhan continued that "up to that time, I loved Robert Kennedy. I cared for him very much. I hoped he'd win the presidency."

What changed his attitude was a television documentary showing the senator in Israel in 1948, celebrating the creation of the Jewish state.

Sirhan, who was four at that time and living in Jerusalem, said he had never known of this.

His love for the senator turned to hate and a few days after seeing the film, Sirhan wrote (on May 18): "Robert Kennedy must be assassinated before 5 June '68."

"Sirhan's anger at his victim's pro-Israel views cropped up repeatedly" in court today as he "unveiled a lifetime of loathing for Zionism," reported the newspaper.

When Senator Kennedy spoke in Los Angeles supporting military aid for Israel, Sirhan became so angry that he glared into his bedroom mirror, practicing a mental exercise taught by a mystical cult, until he saw the senator's face in the mirror rather than his own.

'I can't prove it, sir,' he told Grant B. Cooper, one of his defense attorneys, 'but I saw his face in the mirror. I was that burned up about him.'

Testimony revealed -- through a page-by-page reading of Sirhan's notebooks -- that former President Johnson and former UN Ambassador Arthur Goldberg were marked for possible murder.

'As with the Kennedy reference, Sirhan said he couldn't remember writing of an intent to kill Mr. Johnson or Goldberg, but admitted he must have, since the notes were in his hand,' reported the newspaper.

Once he said, 'It is not me, sir. It is not Sirhan, sitting right here, that wrote that . . . I couldn't write that without provocation.'

He was then asked by Cooper if he ever had in mind killing President Johnson, and Sirhan replied, 'No, but I hated his guts at one point. He said the United States supports the territorial integrity of all nations, and he stressed all nations.'

Goldberg, according to Sirhan, repeated Mr. Johnson's phrase.

He was then asked, 'Should he have died for that?' and replied 'Why not? He didn't stick to his word.'

During testimony today, Sirhan 'astonished spectators . . . with an impassioned -- and accurate -- discourse on the growth of Zionism, Palestinian history and England's behind-the-scenes agreements on Palestine's future,' said the newspaper.

Sirhan also described a mystical experiment in which he plunged his hand into boiling water, 'thought cool,' and didn't get burned. He also turned candle flames different colors just by thinking about it, he said.

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I can't prove it, but God damn it, I did,' he stated.

After more than an hour of confirming his fragmented writing, Sirhan told Cooper, 'All this sounds like a crazy man writing.'

'Do you feel you're crazy?' Cooper asked. 'Do you think you're completely normal?'

'No, sir, I'm not crazy,' Sirhan replied.

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WEDNESDAY, MARCH 5 -- Continuing his testimony today in court, Sirhan B. Sirhan said he saw Sen. Robert F. Kennedy in person for the first time two nights before he shot and fatally wounded the senator.

Sirhan said he was "really thrilled . . . He looked like a saint to me. I liked him."

A reporter for a Los Angeles newspaper (Times), noted that "the statement was startling to spectators at the murder trial. On Tuesday, they had heard Sirhan admit to murderous rage at Sen. Kennedy's pro-Israel views."

The first encounter with the New York senator took place on June 2 when Kennedy was surrounded by movie stars and singing a song with Andy Williams at the Ambassador, site of the slaying.

"My whole attitude toward him changed when I saw him that night," Sirhan related to his defense lawyer, Grant B. Cooper.

"Before, I'd associated Kennedy with his statements about the Phantom jets to aid Israel and I pictured him as a villain, but that night he looked like a saint to me. I liked him."

Speaking publicly for the first time about his activities June 4, the eve of the shooting, the defendant said he arrived at the Ambassador Hotel after getting lost while looking for a Jewish parade on Wilshire Boulevard.

"He had not known that Kennedy would be at the hotel that night, Sirhan said. All thoughts about Kennedy and memories of the written determination to assassinate the senator were completely out of Sirhan's mind, the defendant testified," reported Dave Smith, staff writer, in the newspaper.

Under Cooper's questioning, Sirhan's murderous impulses towards Kennedy were revealed -- chronicled in his school notebook.

As questioning wore on, Cooper "elicited these emotional patterns: murderous hate for anyone expressing sympathy for Zionist aims; a perplexing warmth toward Kennedy for his views on other subjects, and an abrupt forgetting of political considerations when confronted by Kennedy in person," continued the newspaper.

"June 4 had been a haphazard day of often-changed plans," added the newspaper, as Cooper asked Sirhan if he intended to kill the senator on June 2, referring to comments in the notebook.

Sirhan replied, "No, sir, I did not. The notebook was completely forgotten in my mind." He did not have a gun with him that night. The defendant also denied that on June 2 he had been in the hotel kitchen area where Kennedy was shot two nights later.

(two prosecution witnesses, however, testified earlier they got lost in the hotel corridors and ran across Sirhan in the pantry area the night of June 2.)

He said today that in his opinion, the witnesses were "complete liars. They swore to tell the truth and they didn't," he said.

On Tuesday, June 4, Sirhan said he planned to spend the day at the races, but didn't like the entries so he went target shooting at the San Gabriel Valley Gun Club.

He was there from noon until 5 p. m., and denied earlier testimony that he practiced rapid-firing; an elderly man nearby was doing that.

When the range closed, said Sirhan, he had eight bullets left in the gun

and intended to expend those last shots, but the rangemaster's order came before he could do it.

Sirhan put the gun on the back seat of his car "so if I got a traffic ticket I don't have to explain." He started for home, but didn't unload the gun because it was difficult to eject the bullets.

Later, he saw an ad in a newspaper (Times) about a march for Israel and the phrase "Six Days in June," referring to the six-day Arab-Israeli war.

"That brought me back to the six days in June of the previous year," he testified. "I should have been dead for those six days . . . These Zionists, Jews, whatever the hell they are, were trying to rub in the fact that they beat the hell out of the Arabs."

Sirhan said he was so infuriated that he decided to drive to the parade site, but he was a day early.

He became lost and since he hadn't been home, the loaded pistol was still on the back seat. "The gun was completely out of my mind," he added.

Not finding the parade, the defendant stopped at election headquarters for former Sen. Kuchel, Republican, California. From there he went to the Ambassador, parked and locked his car, and left the gun on the back seat.

Earlier, today, Cooper told of Sirhan's interest in the Rosicrucian's Digest, a monthly publication of the mystical cult, which contained an article titled "Put It In Writing."

On May 18, it was brought out that Sirhan wrote, "Robert F. Kennedy must be assassinated before 5 June '68." And on June 5, Sirhan shot and killed Kennedy.

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"This mental chain of events was laid bare as Cooper read methodically through the reading and writing that made up Sirhan's thinking," reported the newspaper.

Cooper also introduced into evidence two pages which he argued successfully two weeks ago were "too inflammatory" to be placed before the jury.

The pages, kept from evidence then but released to the press, contained Sirhan's wholesale endorsement of all forms of communism -- even conflicting forms -- and an angry attack on the United States.

"Cooper read the pages aloud and later explained to newsmen that defense psychiatrists felt the writings had a strong bearing on Sirhan's state of mind -- which is the key issue in whether Sirhan is sentenced to death or simply imprisoned," added the newspaper.

Sirhan told the court he was not involved with anyone in the plan to kill the senator and couldn't remember why he used the term "we" when he wrote "We believe that Robert F. Kennedy must be sacrificed for the cause of the poor, exploited people."

"The hand that is doing this writing will do the slaying of the above-mentioned victim," read another entry.

* * *

THURSDAY, MARCH 6 -- "Outside-courtroom explosions, unknown to the Sirhan trial judge and jury, enliven the proceedings almost daily," according to Al Stump, staff writer, commenting in a Los Angeles newspaper (Herald Examiner) today.

-more-

He mentioned, for example, the appearance of Issa Nahileh, described as a member of the British bar and as director of the "Palestinian-Arab delegation to the United Nations."

Asked by a reporter why he was here, the lawyer said he was an observer and "a group from my homeland interested in Sirhan's welfare paid my way from New York."

Asked if he were really here to "cool off Sirhan when he becomes almost uncontrollable and raves in court that he wants to plead guilty, fire his lawyers?" the visitor stated that Sirhan was a victim of circumstances.

He noted that Sirhan witnessed Arabs forced from their homeland by Zionists and as a child lived in a blood bath.

Also noted by Stump was the fact that Sirhan's mother "now feels free to walk out of the Hall of Justice, without a lawyer or guard at her side. Previously, she never left the building except under escort."

Sirhan B. Sirhan completed four days of testimony today as he was questioned by one of his defense attorneys, Grant B. Cooper, and cross-examined by Lynn D. Compton, chief deputy district attorney.

He told the court that he got drunk on June 4, blacked out while trying to sober up, and "the next thing I remember, I was being choked."

According to Dave Smith, staff writer for a Los Angeles newspaper (Times), "it was the first time Sirhan has mentioned that he had been drinking the night Kennedy was killed."

The defendant revealed that he didn't learn for many hours that he had fatally shot Senator Robert F. Kennedy and that he was being choked in a struggle

to subdue him as his gun continued firing, wounding five others.

Asked by Cooper if he knew that during the blackout, "You walked up to Sen. Kennedy, pointed a gun to his head, pulled the trigger . . . and he later died."

He replied, "Yes. So I learned."

Under questioning by Cooper and cross-examination by Compton, Sirhan "denied specific recollection of the shooting or of the rages that consumed him when he wrote in his notebooks that Kennedy must die," the newspaper continued.

Added the newspaper report:

"Compton's questioning sought to dispel in jurors' minds the impression Cooper had earlier aimed for in characterizing Sirhan's notebook writings as the disjointed scribbles of a disordered mind.

"Instead, Compton suggested, much of the writing was mere doodling reflecting Sirhan's daily interests -- girls, horse racing, jockeys and snatches of Arabic songs."

Sirhan flared in anger when Compton asserted that the defendant must have had more notebooks than the three introduced in evidence. Sirhan replied, "Were you with me. Ask me. Don't put words in my mouth!"

Compton then asked if he had more such books, and Sirhan snapped, "I said I don't know."

At another point, Sirhan remarked of one of Compton's questions, "That's stupid."

"Compton continued in a mild, pleasant tone of voice, but with a thinly veiled skepticism at Sirhan's invariable answer:

"I don't exactly remember," noted the newspaper.

-more-

However, Sirhan did admit to a faint recollection of discussing the Jack Kirschke murder case with Dep. Dist. Atty. John E. Howard, one of the prosecutors in the Sirhan case.

Continued the newspaper's account:

In later questioning by Compton, the defendant "recalled one of the significant details of the Kirschke case. Kirschke, a deputy district attorney and friend of both Compton and Howard, was convicted in 1967 of murdering his wife and her lover and sentenced to death. (The sentence was later commuted to life imprisonment).

"Kirschke claimed he was in Las Vegas at the time of the murder, but one detail that helped convict him was the fact that when he was arrested there and charged with murder, he failed to ask whom he was accused of murdering.

"Sirhan, who is reported to have followed that trial on television, was asked by Compton if Howard hadn't told him last June 5 that he probably would be tried. 'You didn't ask 'tried for what?' did you, asked Compton.

"'I don't remember,' replied Sirhan.

"By Sirhan's account on the witness stand Thursday, this conversation with Howard would have occurred several hours before Sirhan learned he was accused of shooting Kennedy."

Sirhan was asked by Compton if he thought the killing of Kennedy helped the Arab cause, and the reply was that he (Sirhan) didn't know enough about politics.

"Are you glad he's dead?" was another question and the reply: "No sir, I'm not glad."

Another question -- "Are you sorry?" Answer by Sirhan -- "No sir, I'm not sorry, but I'm not proud of it either."

The prosecutor "then touched on an explosive courtroom scene that occurred last Friday, after the jury had been removed from the courtroom," the newspaper reported.

"Did you not say you killed Robert Kennedy wilfully, premeditatedly and with 20 years of malice aforethought?" Compton asked. "Yes sir, I did" was Sirhan's reply.

Both defense and prosecution attorneys were called to Superior Judge Herbert V. Walker's bench and then Compton asked his final question: "You said you were willing to fight for the Arab cause?"

"Yes sir," said Sirhan.

"Are you willing to die for it?"

"Yes sir, I'm willing to die for it."

Cooper then resumed questioning his client, going over line by line the transcript of last Friday's blowup. Jurors learned for the first time that Sirhan had tried to fire his three attorneys, change his plea to guilty and demand execution.

Cooper asked Sirhan if he hadn't done that because he was mad at the way his defense was going, and Sirhan admitted, "Sir, I was boiling."

* * *

FRIDAY, MARCH 7 -- "Retro-grade amnesia may explain" why Sirhan doesn't remember details involved in the assassination of Sen. Robert F. Kennedy,

-more-

Grant B. Cooper, one of the defense attorneys, remarked, according to a story by Al Stump in a Los Angeles newspaper (Herald Examiner).

"In such a case, " Cooper told Stump, "a person has memory along a certain line, then it snaps off and he remembers nothing."

Stump also quoted "a leading psychiatrist" as follows:

"Briefly, this is a condition where a traumatic event happens. The person involved retains recall of some of it -- usually the initial portion. But he will forget events prior to it or events associated with it or contributing to it or in some way adjunctive to it.

"It's a well-known repression with no positive explanation.

"And it's very common -- happens to many people. It also is very easily feigned."

Stump also related that Cooper and Russell E. Parsons, another defense lawyer, recently "gave the first clinical analysis yet submitted."

Cooper said that Sirhan "is not psychotic, but a borderline case of schizophrenia of the paranoid type."

Continued Stump:

"These terms mean what in layman's language? Experts say they mean:

"Psychotic -- one who cannot understand reality in either a gross or a special way; a term without the legal implications of the word 'insane.'

"Schizophrenia -- type of personality characterized by loss of contact with the environment and by disintegration of the personality; includes dementia praecox and some related forms of insanity.

"Paranoid -- one who believes others are out to destroy him and he must defend himself (but not often defends himself in an actively violent or criminal way).

"Such terms are expected to become vital as clinical psychologists and psychiatrists move in to testify sometime next week."

FRIDAY, MARCH 7 -- Dave Smith, staff writer, reported in a Los Angeles newspaper (Times) today that Richard Lubic "was the last, and briefest, of a puzzling string of defense witnesses whose testimony appeared to strengthen the prosecution case" in the Sirhan case.

Besides Lubic, who claimed to have heard a voice swear at Senator Robert F. Kennedy and then heard the shot, other persons heard today were Hans Peter Bidstrub, who said Sirhan asked him for information on the senator; and two friends of Sirhan, Enrique Rabago and Humphrey Cordero.

According to Lubic, in the early moments of June 5, he heard a voice swear at the senator and then heard the gunshot that took his life. Smith reported that Grant B. Cooper, one of the defense attorneys, "didn't even ask if he could identify Sirhan as the man who said, 'Kennedy, you son of a bitch,' and fired the shot."

Bidstrub, testified that Sirhan, drink in hand, asked him as early as 10 p.m. if Kennedy was staying at the Ambassador Hotel, on what floor and in what room and if Kennedy had any bodyguards.

The witness said he talked to Sirhan about 15 minutes at one political party the night before, and his first impression was that Sirhan was "half drunk

and very talkative." Earlier this week, Sirhan told of arriving at the Ambassador Hotel, through a series of haphazard changed plans, without knowing Kennedy would be there.

"Bidstrub's testimony," related the newspaper, "tended to corroborate the defense claim that Sirhan had been drinking that night, and three other witnesses said they also saw Sirhan with a glass in his hand.

"Bidstrub's recollection of the assassination night and of his later interviews with law enforcement officials and defense counsel appeared hazy, so much so that he could not definitely recall his former statements when confronted with them "today. "

Rabago and Cordero testified they talked with the defendant around 10 p.m. and said he had a drink in his hand, but did not appear particularly intoxicated to them.

Rabago asked Sirhan if he thought Kennedy would win the Democratic primary election and he replied yes, adding: "Don't worry if Sen. Kennedy doesn't win. That son of a bitch is a millionaire. Even if he wins, he's not going to do anything for you, for me or for the poor people." Rabago said he had regarded Sirhan as "educated and arrogant. "

* * *

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., March 19, 1969
After 10 a.m.

WEEKLY SUMMARY #41

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 41st summary, and others will be for release on subsequent Wednesdays.

MONDAY, MARCH 10 -- Dr. Martin M. Schorr, a clinical psychologist, today in court described Sirhan B. Sirhan, the accused assassin of Sen. Robert F. Kennedy, as a paranoid personality -- who felt he was right and everyone else was wrong, according to a story in a Los Angeles newspaper (Times).

The newspaper continued that the defendant is also 'a schizophrenic guided by inner beliefs that didn't match the realities of the outside world.'

Meanwhile, another Los Angeles newspaper (Herald-Examiner) declared that psychiatric testimony conflicted 'sharply with claims of' Emile Zola Berman, one of the defense attorneys.

The newspaper related that Berman, in his opening statement, said:

'The evidence in this case will disclose that the defendant, Sirhan Sirhan, is an immature emotionally-disturbed and mentally-ill youth.'

The newspaper related that Sirhan, according to Berman, was 'totally a product of a sick, obsessed mind and personality.'

Schorr said that Sirhan has no 'psychotic responses' and 'is not a raving maniac.' The doctor also said his examination turned up no evidence of brain damage in the Jordanian immigrant. But despite this, Sirhan is far from normal, he added.

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Schorr described tests given Sirhan and said he scored 'better than the average American' on the Wechsler Adult Intelligence Scale test of verbal skills. His verbal intelligent quotient was 109, ranking higher than 75 per cent of the population. Balancing this was a non-verbal intelligence quotient of only 82, better than only 10 per cent of the population, and yielding a 'spuriously low' IQ of 98. The average is from 90-100.

Under questioning by Berman, Schorr, who is affiliated with UC Hospital, San Diego, said Sirhan's identification in the Rorschach 'ink-blot' test included such things as a dove flying, a crushed frog, a human profile exploding, a 'male-female' rooster, a human trachea, a monster 'charging at me, a ballet dancer, ears, scarred seals or sea lions, the act of sexual intercourse, the Suez Canal, a rotting red apple and spurting blood and a liver.

Schorr pointed out that Sirhan, rather than seeing pictures only in the colored ink, sometimes found recognizable shapes in the white spaces, reported Dave Smith, staff writer, in a Los Angeles newspaper (Times).

The general pattern of the test, Schorr testified was the strongest evidence of extreme paranoia, a highly aggressive, assertive nature, a rigid, very perfectionistic personality convinced of its own rightness, and a dangerously high tendency to give way under stress to unchecked emotional reactions, said the newspaper.

He related that the defendant failed to answer certain significant questions on another test, the Minnesota Multiphasic Personality Inventory, which indicated he 'was very anxious to convince me how normal and sane he is.'

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The doctor said this was a typically paranoid reaction -- to convince me how right he is and wrong everyone else is.

He revealed that the indications of psychosis on the tests -- particularly the wide range of highs and lows -- were consistent with schizophrenia, which he described as a discrepancy between the inner and outer reality.

In court today, Sirhan seemed more pleased with the results of the tests than when scores on his IQ tests in junior high school were revealed several weeks ago -- and he exploded, said Smith.

It was disclosed today that additional police protection for Mrs. Mary Sirhan, the defendant's mother, and his two brothers, Adel and Munir, was ordered briefly last week, after reported telephone threats by another brother, Sharif.

A 24-hour guard on the Sirhan home was established for one day. Police said no charges have been filed nor arrests made.

TUESDAY, MARCH 11 -- In his second day of testimony for the defense in the Sirhan B. Sirhan case, Dr. Martin M. Schorr, clinical psychologist, said that in the dark recesses of the defendant's mind, he harbored hope of being caught when he shot Senator Robert F. Kennedy, wrote John Douglas, staff writer, in a Los Angeles newspaper (Herald-Examiner).

Schorr told of his theory as he was cross-examined by Dep. Dist. Atty. John E. Howard.

Asked by Howard if Sirhan's behavior around the time of the assassination indicated he was thinking rationally and thus was not in a dissociative personality state, another newspaper (Times) said:

more --

"Schorr would not agree that Sirhan's thinking was rational, but only that it was thinking within the context of a paranoid psychosis.

"Asked if Sirhan might have lied about drinking the night of June 4, Schorr said that lying under oath would be indicative of sociopathic tendencies, and that exhaustive testing showed that Sirhan was not sociopathic.

"Howard then asked, 'If you had seen (Sirhan) on June 3, could you have predicted the murder of Sen. Robert F. Kennedy?'

"Schorr said he could not have predicted that specific murder, but said that if similar tests were administered at random to 100 people, three or four of them, including Sirhan, would have been pin-pointed as 'odds-on favorites to commit murder.'

"Howard drew from Schorr the admission that one of the tests, the Minnesota Multiphasic Personality Inventory, was known in psychology by the nickname 'Mickey Mouse,' and that it was considered to yield 60 to 70 per cent accuracy on sick populations.

"But Schorr added that the test was nonetheless considered fairly reliable and was used only in conjunction with other tests. His own diagnosis of Sirhan, he said, was not based on the MMPI alone, but in the context of other tests.

"Howard also asked Schorr, 'What would be the behavior of a man who had just committed a political assassination and was glad he had done it?'

"Schorr said such a person would not have written down his intention to do so, as Sirhan did in his notebooks, and would not have committed the act in such a circumstance as to show his 'hope of being caught.'

"Hope of being caught?' Howard asked skeptically.

"He wouldn't go into a crowded pantry,' said Schorr. 'He'd go into an armory with a rifle and he'd try to get away.'"

"Sirhan was seized by more than half a dozen people before he'd even finished firing the eight shots from his revolver in the crowded pantry of the Ambassador Hotel).

Continued the article in the newspaper:

"Howard also asked Schorr what stress might have developed the night of June 4 to push Sirhan into a dissociative state so that he could kill Kennedy and have no recollection of it.

"Schorr said it might have been the sight of the revolver in Sirhan's car, adding that 'the gun is a symbol that relates to stress dating from his formative years.'

"Said Schorr, 'The gun symbolized the giving to himself of an aggressive personality he doesn't possess; also the need to be treated like a man and act like a man; also the need not be castrated, as he allegedly was by his father, through alleged cruelty and beatings.'"

Schorr also testified that he does not believe that Sirhan was capable of mature and meaningful premeditation in the killing of the senator.

He described the Palestinian Arab to the court as a paranoid psychotic, incapable of controlling his emotions, ruled by obsessions of his own grandiosity and delusions of persecution.

The doctor, who administered five psychological tests to Sirhan in November, said he felt the defendant's mental condition was essentially the same last June as it was in November and as it is today.

A Los Angeles newspaper (Times) added that if the jury agrees Sirhan could be found guilty of a lesser degree of murder than first degree, and sentenced to imprisonment rather than death."

Describing one of the tests given Sirhan, Schorr said the Thematic Apperception Test consists of pictures in which the patient is asked to see and then describe a story or set of circumstances. What the patient sees depends upon his subconscious reactions, he said.

Reported the newspaper:

"By far the most dramatic, however, was Sirhan's reaction on one entirely blank card. Sirhan told Schorr:

"This is the figure of that arrogant, self-assured bastard with the victorious smirk on his face. This is the true picture of the conqueror. It's the minister in Israel, Moshe Dayan, and he's looking down at people, but there's a bullet that's crashing through his brain at the height of his glory."

Schorr interrupted: "Where in relation to this picture would you be standing if you were part of the scene?"

"Part of the scene?" Sirhan retorted, "I am the scene. I'm the one killing him."

Schorr said Sirhan described other pictures in terms of loneliness, seeing people as assaulted, depressed, hopeless and suicidal."

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WEDNESDAY, MARCH 12 -- In his third day of testimony today in the Sirhan case, Dr. Martin M. Schorr, clinical psychologist, said the defendant "substituted Sen. Robert F. Kennedy for the father he would have preferred to kill," according to a Los Angeles newspaper (Times).

Meanwhile, another Los Angeles newspaper (Herald-Examiner) noted that "words spoken by Sirhan minutes after he admitted the fatal shooting . . . have come back to haunt him at his murder trial in Superior Court."

Feeling it would not be proper to kill his father, Sirhan instead compromised and chose a "symbolic replical of his father" -- Kennedy, the psychologist told the jury.

He added that Sirhan "also removes the relationship that stands between him and his most precious possession -- his mother's love."

During a recess, Mrs. Mary Sirhan, the defendant's mother, objected when the statement was read to reporters, and declared, "I don't like this."

In cross-examination of Schorr, Dep. Dist. Atty. John E. Howard sought to cast doubt on the validity of psychological tests administered to Sirhan in November, contending the scoring and interpretation results are arbitrary.

Schorr, however, defended his scoring of tests given Sirhan and would not concede that interpretations would vary widely from one psychologist to another.

Schorr repeated his belief that for several hours before and many hours after the killing, the defendant shifted back and forth between the real world and a fantasy world.

Reported a Los Angeles newspaper (Times):

"The psychologist said Sirhan was unaware he was drifting from one state of consciousness to another, and while he may have wanted to kill Kennedy, he was and still is genuinely unaware that he did.

"Dep. Dist. Atty. David W. Fitts began to play tapes of the first interviews between Sirhan and police after his arrest in the early morning of June 5.

"In the first tape, made at 12:45 a.m., less than half an hour after Kennedy was shot, Sirhan was advised of his constitutional rights, including the right to remain silent, and did so. He wouldn't give his name, height or weight, and his few responses did not bear on the shooting at all."

* * *

THURSDAY, MARCH 13 -- The prosecution today continued to play recordings of the first encounters between Sirhan and police "in an effort to prove the Palestinian Arab was fully self-possessed as he skillfully avoided self-incrimination," reported a Los Angeles newspaper (Times).

"The defense has contended," reported Dave Smith, staff writer, that Sirhan, "several hours before and after the assassination" of Kennedy "was in a 'dissociative state' induced by drunkenness, rage and self-hypnosis, and that he remembers nothing of those hours."

Playing of the tapes in court revealed that at first Sirhan was uncommunicative, subdued and nearly unaudible as police and district attorney's investigators sought to learn his name. However, by 3:15 a.m., three hours after the shooting, Sirhan was engaging in earnest discussion

more --

and humorous banter -- still without telling anything about the shooting or even his name.

"Every time questions began to bear on the events of the preceeding few hours, Sirhan cited his constitutional right to remain silent," said the reporter.

"He waxed chatty, however, about other matters and discussed with Dep. Dist. Atty. John E. Howard, now one of his prosecutors, the Jack Kirschke murder case, in which Kirschke, formerly a deputy district attorney, was convicted of murdering his wife and her lover."

At the Ramparts Police Station and at downtown police headquarters, the defendant "persistently turned questions back on his questioners as he asked their views of justice, truth and falsehood."

"Sirhan also revealed," wrote the reporter, "a quick and apparently deep affection for Sgt. William C. Jordan, now a lieutenant, who questioned him gently on subjects not related to the Kennedy assassination."

Sirhan, it was revealed, debated with Howard, Jordan and George W. Murphy, district attorney's investigator, on the high cost of prenatal care, the stock market, the "Boston Strangler" case, local politics and world travel -- "all in a blithe but intense manner."

Concluded the newspaper article:

"Defense attorneys later told reporters that the tapes could support their case as well as the prosecution's, contending that Sirhan's increasing clarity through the interviews showed only that he was sobering up and coming-out of his alleged dissociative state."

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FRIDAY, MARCH 14 -- "A series of striking similarities" has been noted in the language of a psychologist's report on the mental condition of Sirhan B. Sirhan "and that of a case study in a book by a New York criminal psychiatrist," according to a New York Times News Service story in today's editions of a Los Angeles newspaper (Herald-Examiner).

Continued the article:

"The psychologist in the Sirhan case, Dr. Martin M. Schorr of the San Diego County Hospital, acknowledged that he was familiar with the book, entitled "A Case Book of a Crime Psychiatrists," by Dr. James A. Brussel; assistant commissioner of mental hygiene for the state of New York. But he denied plagiarizing any part of it.

"I know I read the book," Schorr said in an interview . . . but I know it was prior to the trial.' The he added:

"You can use pretty much the same language when you talk about cases.' Later, at lunch, the psychologist said that 'I read this book quite thoroughly last year.

"When I see a phrase that fits in with my thinking, subconsciously it becomes part of my language.'

"The similarities were noticed by a reader of the New York Times who saw part of Schorr's report in the newspaper. The reader, a New York resident who asked that she not be identified, called the Times and said she had (borrowed) Brussel's book from a library and, after reading it, was struck by the seemingly familiar words when she saw the newspaper account.

"in his testimony, Schorr, a defense witness, was allowed by the

prosecution to read several excerpts from a four-page report that he had prepared on Sirhan after administering a battery of tests to the admitted killer of Sen. Robert F. Kennedy.'

The article, by Douglas Robinson, offered the following excerpts from Dr. Schorr's testimony and from the book:

"Dr. Schorr: Essentially, the more he (Sirhan) railed and stormed, the more the mother protected Sirhan from his father and the more he withdrew into her protection.'

"Dr. Brussel: And the more he stormed, the more the mother protected her boy and the more he withdrew into her protecting arms.

"Dr. Schorr: He hated his father and feared him. He would never consciously entertain the idea of doing away with him. But somewhere along the line, the protecting mother fails her son.

"Dr. Brussel: The boy hated his father, yes -- and, more important, feared him. Therefore, he would never entertain the idea of doing away with the man . . . Then, somewhere along the line, the protecting mother may have 'failed' her boy.

"Dr. Schorr: She, whom he loved, never kept her pledge, and now his pain had to be repaid with pain. Since the unconscious always demands maximum penalties, the pain has to be death.

"Dr. Brussel: She whom he loved never kept her pledge, and he began to feel that she really didn't love him. Pain had to be repaid with pain, and since the unconscious always demands the maximum, the pain had to be death. .

"Schorr, in discussing the similarity between his report and

Brussel's case study, said that 'my training was in intraphysics and so was his, therefore we think alike.'

"One phrase Dr. Brussel has used for paranoids, for example, he continued, 'is champion grudge-hater. I liked the description so much, I've used it many times.'"

11/17

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., March 26,
After 10 a.m.

WEEKLY SUMMARY #42

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 42nd summary, and others will be for release on subsequent Wednesdays.

MONDAY, MARCH 17 -- Sirhan Bishara Sirhan, the accused assassin of Senator Robert F. Kennedy, 'was almost a forgotten man at his own murder trial as a subsidiary trial shaped up over the credibility of clinical psychologist Martin M. Schorr today, reported a Los Angeles newspaper (Times).

After learning last Friday that many of Dr. Schorr's statements about the defendant were almost verbatim quotes from another man's book, the prosecution began introducing relevant portions of the book, 'Casebook of a Crime Psychiatrist,' by Dr. James A. Brussel,' as evidence, related the newspaper.

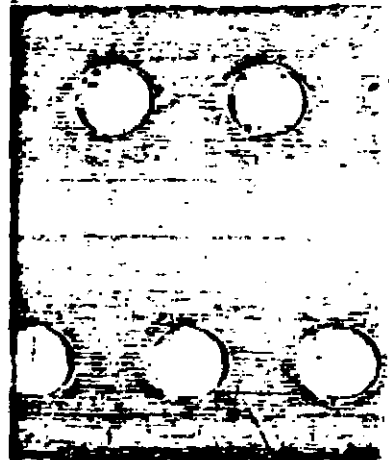
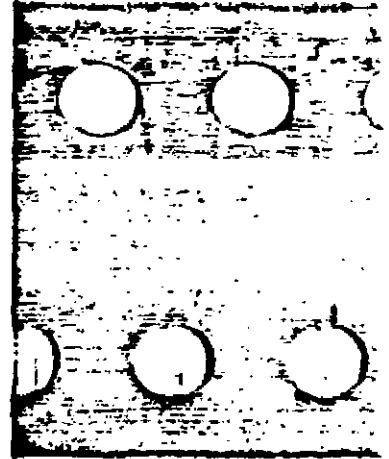
It was indicated by Dep. Dist. Atty. John E. Howard, one of three prosecutors assigned to the case by Dist. Atty. Evelle J. Younger, that portions of the book not admitted into evidence will then be brought out in continued cross-examination of the psychologist.

Schorr testified that Sirhan shot Kennedy last June as a 'symbolic replica' of his own father. Schorr's analysis of Sirhan was found to be almost an identical match to Brussel's hypothetical analysis of a New York killer more than a decade ago, added the newspaper.

Meanwhile, another Los Angeles newspaper (Herald-Examiner), noted that a letter written by Schorr to Russell E. Parsons, one of the three defense lawyers, 'was read into the record. It reported Sirhan hated his father and transferred this hatred to Kennedy.'

Continued the newspaper's account:

The wording of the letter written in December of last year was similar to Brussel's language in the Psychiatrist-author's



description of a 1957 murder case in New York.

Associate prosecutor John Howard pressed Schorr on the possibility the psychologist may have prejudged Sirhan.

The letter from Schorr to Parsons dated July 10 -- before Schorr interviewed Sirhan -- said in part:

'Most murders committed by basically passive non-violent personalities are psychotic discharges of previously undiagnosed subtle but real schizophrenia.'

However, Schorr insisted he did not reach any conclusions about the defendant's mental state until after he examined Sirhan.

* * *

TUESDAY, MARCH 18 -- Psychologists, including Dr. Orville Roderick Richardson and Dr. Martin H. Schorr, today assessed Sirhan B. Sirhan 'as a man of diminished mental capacity,' according to a Los Angeles newspaper (Herald-Examiner).

Dr. Richardson told the court that the defendant 'appeared to be in somewhat worse shape when Dr. Schorr tested him than when I tested him.'

The doctor tested Sirhan on July 20, 1968, about six weeks after Sen. Robert F. Kennedy was slain. Schorr examined Sirhan on November 25-26, 1968.

Reported the newspaper:

'Deterioration in Sirhan's thinking processes during the intervening months, Dr. Richardson said, showed up in the defendant's responses on the Bender-Gestalt test, in which a subject copies various designs presented to him.'

The two psychologists told the court their findings to almost the same battery of psychological examinations: the Rorschach, in which a subject evaluates ink blots; the Wechsler Adult Intelligence Scale, which measures intelligence; the Bender-Gestalt; the Minnesota Multiphasic Personality Inventory, in which a subject tells a story about a series of pictures.

Dr. Richardson, arriving at generally the same conclusions as Dr. Schorr, emphasized that he made his evaluation on the basis of

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'content and sequence analysis,' or what the answers said rather than on the quantitative or statistical results used by Dr. Schorr.

Earlier today, Dr. Schorr concluded six days of testimony and under cross-examination admitted that he copied several passages used in his report from A Casebook of a Crime Psychiatrist by Dr. James A. Brussel.

Reported the newspaper:

He said he copied the material because he wanted 'to use language that was alive and vivid to state what I had so fumblingly stated in my earlier report.'

'The borrowed phrasing, he said, was used only to illustrate his findings from testing Sirhan and in no way influenced his evaluation of the defendant.

He said he knew nothing about the cases Dr. Brussel was describing, but liked the way the author described paranoid characteristics.

Pressed by Assistant District Attorney John S. Howard, Dr. Schorr said he often copies phrases from technical books and that, 'When I use language to describe what I have already written, I don't quote it (indicate by quotation marks). I don't claim authorship for these.'

* * *

WEDNESDAY, MARCH 19 -- Watching Sirhan Bishara Sirhan every day, it is sometimes difficult to remember he is a man, 25 years old today, Dave Smith, staff writer for a Los Angeles newspaper (Times) wrote today.

Continues the article, in part:

To many people, a 25th birthday is a time to take stock on that first third of their lives which usually governs how the rest will go.

But to Sirhan, this milestone marks the virtual end of a life that was oddly incomplete, barely begun.

He enters the courtroom with a jaunty strut, smiles and

more --

waves at his mother, Mary, and brothers, Munir and Adel, and occasionally even nods a greeting to certain reporters whose stories he has read and been pleased with.

He is elaborately polite to everyone in the courtroom, chopping up his sentences with a respectful 'sir' at every phrase, so that he is sometimes difficult to follow as he threads his delicate, courteous way through testimony on how he shot Sen. Robert F. Kennedy in the head at point-blank range but can't remember doing it.

He is on trial for his life, in what he reportedly regards as a purely political assassination, an act of patriotism to the Palestinian Arab cause, justified by maltreatment of Arab refugees like himself.

All the psychiatric evidence for both sides agree that Sirhan doesn't want to be portrayed as a psychotic, but as a man with a mission.

Sirhan's view of his motive is thus a heroic one, and he is said to be gratified that many Palestinian refugees regard him as a national hero and eloquent exponent of their long-standing grievance against Zionism.

What is striking about Sirhan's view is its utter irrelevance to the quiet Pasadena existence he has known for half his life.

In some twisted way that perhaps only psychiatry may ever explain, Sirhan walked the quiet, shaded streets of Pasadena and grew to a meek, polite adulthood with bloody scenes of Arab-Israeli conflict raging before his mind's eye.

Concerning Sirhan's inability to remember the events at the Ambassador Hotel, Smith notes that this is the keystone of Sirhan's defense theory of diminished capacity to premeditate.

His attorneys claim that the diminutive Arab was in a trance when he killed Kennedy, suffering a dissociative reaction to which paranoid schizophrenics are prone, abetted by degrees of drunkenness, self-induced hypnosis, long-term rage at Zionism and short-term rage at Kennedy's support of Israel.

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The prosecution counters that Sirhan's alleged trance is part retrograde amnesia and part convenience.

Whether amnesia is feigned or a genuine part of Sirhan's mental illness remains to be proved. But the untested evidence of his illness -- from his childhood in Jerusalem to his own chaotic scribbles in his college notebook - testify to both a life of flight down blind alleys and to an iron probe that could not or would not seek a way out.

In court today, Dr. O. Roderick Richardson, clinical psychologist, resumed the stand and described Sirhan as a paranoid schizophrenic whose mental illness was about as severe as you can get without being unchangeable.

He told the court that he felt Sirhan had been acutely ill for a year or two before the June 5 slaying, adding that when he administered psychological tests last July, Sirhan was then getting worse.

9 The defendant, related Richardson, was a very ill person who was descending further into mental illness. Sirhan, he continued, had not passed the point of no return. He was close to being incurable, but still capable of either improvement or regression.

The doctor said he felt Sirhan's condition had worsened by November, when he was tested by Dr. Martin M. Schorr who, after six days on the stand, admitted he lifted from a psychiatrist's book the language he used in describing Sirhan as a paranoid schizophrenic.

On the whole, reported a Los Angeles newspaper (Times), Richardson's conclusions tended to support those of Schorr, though Richardson admitted under cross-examination by Dep. Dist. Atty. David M. Fitts that he scores tests differently from Schorr, and would not have made certain conclusions that Schorr did.

In describing Sirhan's paranoia, Richardson said he found Sirhan to be 'blaming, suspicious, wordy, power-oriented, judgemental and moralistic' in his relationship with other people.

He said Sirhan showed signs of delusions of omnipotence

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and grandeur and wishes to associate himself with symbols of prestige and status. Sirhan also felt himself the victim of unidentified influences, Richardson testified.

Richardson said Sirhan had a superior intelligence and likened him to a 'good engine out of tune' because of erratic functioning in his daily emotional life.

The witness also declared that Sirhan's reactions to the Thematic Apperception Test revealed depressive, suicidal, hostile tendencies heightened by anxiety over anything suggesting sex.

Said the newspaper:

One reaction, to a picture of a man and woman in a bedroom, 'suggests a sexual problem,' Richardson said. Sirhan interpreted the picture as showing a man after he had either raped or strangled the woman. 'This emphasis on aggression and hostility in connection with sex,' Richardson said, 'makes the sexual topic a frightening one' for Sirhan.

* * *

THURSDAY, MARCH 20 -- Sirhan B. Sirhan premeditated the killing of Senator Robert F. Kennedy, but not in the mature and meaningful way that must be proved to justify a death sentence for first-degree murder in the opinion of a clinical psychologist and a psychiatrist, both of whom testified in the trial today.

O. Roderick Richardson, psychologist, said that Sirhan's plan to kill Kennedy would be premeditation of the sort when a mental patient in a locked ward plans to steal the keys from the night nurse and escape through the kitchen window.

Psychiatrist Eric H. Marcus conceded that Sirhan was capable of planning the slaying, forming an intent to commit murder and harboring malice aforethought.

But, added Marcus, such plans arose from Sirhan's paranoid view of himself as a 'savior of society,' and in this context could not constitute mature and meaningful premeditation.

Besides Richardson and Marcus, the defense called two more

clinical psychologists, Dr. Stephen J. Howard and Dr. William Crain. The two were excused with little or no cross-examination, and testified they examined raw data from five psychological tests administered by Richardson to Sirhan.

A Los Angeles newspaper (Times) reported that after evaluating the tests independently they reached the same diagnosis as Richardson: that Sirhan is a paranoid schizophrenic and was in a state of diminished mental capacity when he shot Kennedy.

It was revealed for the first time in open court -- by Marcus -- that the prosecution's psychiatric consultant, Dr. Seymour Pollack, also considers Sirhan a paranoid schizophrenic, added the newspaper.

But, Marcus testified, Pollack also maintains that there is no relationship between Sirhan's mental illness and the crime. Marcus found Sirhan to be suffering from delusions of persecution, particularly political persecution, and said, I fail to see that logic of contending there is no relationship between Sirhan's delusions and his committing a crime directly related to his political views.

Under questioning by Grant B. Cooper, one of the defense attorneys, Marcus admitted that he and all other psychologists and psychiatric experts in the case, including Pollack, had met on Feb. 2 in Cooper's office to compare findings.

Reported the newspaper:

It was after that meeting, when all reports for both sides turned out to be in substantial agreement, that the prosecution and defense agreed to submit a change of plea, from innocent to guilty, with the understanding that Sirhan would receive a life sentence.

Superior Judge Herbert V. Walker was willing to accept the plea change, but insisted that the jury determine the penalty. Sirhan was unwilling to risk the death penalty at that time, so the agreement fell through.

The defense went on with its original plea and the prosecution was committed to try the case and attempt to dilute the effect

of psychiatric testimony that is corroborated by its own experts.'

During cross-examination by Dep. Dist. Atty. David N. Fitts today, Richardson was asked if Sirhan might have slain the senator because he wanted to be regarded as a hero to the Palestinian Arab cause.

Sirhan was not grandstanding, said Richardson. He conceded that some people could have seen themselves in a hero's role in the Arab-Israeli conflict and decided to kill on a rational basis, but not Sirhan.

*Richardson added that Sirhan's tests showed that his decisions are not made on a rational basis but a psychotic one.

As for Sirhan's mental condition, Marcus testified that this became noticeable only after the defendant was thrown from a horse in September, 1966. Soon after the fall, Sirhan, who had ambitions to become a jockey, quit his job as an exercise boy.

Noted the newspaper:

Marcus said Sirhan did not suffer any brain damage from the fall, but said the fall 'was the last straw. His career aspirations were finished and from then on he started going visibly downhill.'

Meanwhile, another Los Angeles newspaper (Herald-Examiner) related that the defense had reduced the number of its witnesses, and quoted Cooper as saying 'We might as well wind it up. We're in good shape so why prolong it.'

Added the newspaper:

Cooper foresaw that the defense could conclude its case by the end of next week. Only 24 hours earlier he had forecast a timetable which would have lasted at least two weeks.

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FRIDAY, MARCH 21 -- A psychiatrist, Dr. Eric H. Marcus, said in court today that Sirhan B. Sirhan was deliberately made drunk in his cell last year for medical tests.

The defendant had to be physically restrained because

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the alcohol turned him into a wild beast, the psychiatrist related.

Sirhan, added Marcus, was given six ounces of gin in Tom Collinses, downing four in 18 minutes, and you might say he went beserk.

Reported a Los Angeles newspaper (Times):

While drunk, Sirhan would not talk about his fatal shooting of Robert F. Kennedy last June, but spoke of Kennedy as if he were still alive, Marcus testified.

He said Sirhan mumbled that '20 years is long enough for the Jews,' that Kennedy 'didn't have to help them, and 'The bastard (Kennedy) isn't worth the bullets,' when asked if he killed him.

Marcus said Sirhan was very polite when sober, but when drunk yelled, 'Get that bastard out of here,' as Marcus, a Jew, started to enter the cell.

But later, Marcus said, Sirhan mistook him for a brother and 'asked me to take him home.' Marcus said he had the impression Sirhan thought he was at the Ambassador and wanted to be driven home.

The defense which called Marcus to testify, contends that Sirhan was intoxicated the morning of June 5, when he shot Kennedy.

Marcus said Sirhan appeared extremely nervous and agitated when drunk in his cell and at one point grabbed for his own throat, thinking he was choking.

Marcus said Sirhan was given the alcohol to test his brain waves under the influence of alcohol.

Earlier, Marcus conceded Sirhan might be lying or 'malingering' in claiming he doesn't remember killing Kennedy.

But, Marcus added, he doesn't believe so.

Defense Atty. Grant B. Cooper today offered into evidence two of Sirhan's high school history texts in attempting to prove that Sirhan 'may have begun vaguely planning an assassination as early as 1962 or 1963, when he was a junior or senior at John Muir High School in Pasadena,' reported the newspaper.

In one book, where the assassination of William McKinley is

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described as the third slaying of a U.S. president, Sirhan was alleged to have written, Many more will come.

In the second book, on European history, Sirhan is said to have underlined a passage describing the 1914 assassination of Austrian Archduke Francis Ferdinand -- the act which triggered World War I.

It was the only underlining in the entire text, said the newspaper.

Under cross-examination by Dep. Dist. Atty. David N. Fitts, Marcus said Sirhan had told him at some point during the four psychiatric interviews stretching from June-October, 1968, that he couldn't remember the hours immediately before and after the shooting of Kennedy.

You don't believe it, do you? asked Fitts. Yes, I believe it, responded the psychiatrist.

Marcus said Sirhan might have developed a retrograde amnesia, which results when a person does something that causes so much anxiety that it is blocked out of a person's mind...In my experience, I have hardly ever seen a murderer who remembers what he's done. I think it's a bona fide amnesia, not malingering, reported the newspaper.

Meanwhile, another Los Angeles newspaper (Herald-Examiner) noted that Dr. Bernard L. Diamond, associate dean of criminology at the University of California, Berkeley, testifying today said that he diagnosed Sirhan as mentally ill and suffering from schizophrenia.

Sirhan was drawn like a magnet to Kennedy, whom he admittedly shot, Diamond added.

Sirhan was said to have told Diamond that he loved and hated Kennedy. The criminologist said he came to accept the contradictory conversation as typical of Sirhan, related the newspaper.

Continued the newspaper's report of the trial:

Dr. Diamond, who said he saw psychological test results showing Sirhan mentally ill before he met the defendant, recounted what Sirhan told him about the night of June 4-5.

The story he related to me on the initial interview is essentially the story which he told on the witness stand, he said,

with the same 'conspicuous omission' of events of the shooting or memory of writing in diaries that he wanted to assassinate Kennedy.

* * *

SATURDAY, MARCH 22 -- A Los Angeles newspaper (Herald-Examiner) today published an Associated Press story from Taibeh, Occupied Jordan, quoting Sirhan's father as saying his son shot Kennedy because of the senator's endorsement of Israel.

Sirhan Sirhan, Sr., an olive grower, rejected testimony given in his son's Los Angeles trial that the son may have been mentally upset at the time of the slaying, reported AP.

The father said, according to AP, there is nothing wrong with Sirhan. He tries to tell the court why he killed Sen. Kennedy but they won't let him.

If Sen. Kennedy had not said he would send Phantoms (planes), tanks and other military equipment to Israel, Sirhan would not have done it, the father stated.

Meanwhile, Mrs. Elizabeth Young Evans, 43, who was shot during the Kennedy assassination, filed a \$351,000 Superior Court damage suit against Sirhan, according to the same newspaper.

In the suit, Mrs. Evans also named 50 John Does. They include unknown persons who may have conspired with Sirhan in the fatal shooting. Also named as Doe defendants are the manufacturers and sellers of the pistol used in the assassination.

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NEWS RELEASE

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FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 2, 1969
After 10 a.m.

WEEKLY SUMMARY #43

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 43rd summary, and others will be for release on subsequent Wednesdays.

MONDAY, MARCH 24 -- Through self-hypnosis, Sirhan B. Sirhan programmed himself 'like a computer' to assassinate Sen. Robert F. Kennedy, John Douglas, staff writer for a Los Angeles newspaper (Herald-Examiner) wrote about today's trial.

'This is the conclusion of Dr. Bernard L. Diamond, Berkeley criminologist,' the writer added, as the doctor today climaxed two days of testimony by reading his opinion.

The doctor's summary, as published in a Los Angeles newspaper (Times):

'The combination of events which led to the assassination of Robert F. Kennedy by Sirhan, I think, started with Sirhan Sirhan's exposure to violence and death in Jerusalem in 1948, and it continued with his immigration to the United States, the development of his mental illness in which his whole personality altered and he became preoccupied with revolution, violence, destruction, paranoid fantasies of glory, power and becoming the savior of his people.

'As his delusional fantasies grew bolder, his fanatical hatred and

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APR 1969	
FBI - LOS ANGELES	

Apr 2

fear of the Jews increased with each radio and television broadcast concerning the tension in the Middle East, while in real life, Sirhan was withdrawing into a ruminative, brooding, isolated sense of failure and insignificance. To improve his mind and to gain control, he hoped, over his personal destiny, he read mystical books and subscribed to and studied the Rosicrucian correspondence courses in self-hypnosis and mind power.

"He practiced his lessons diligently to the point where he became frightened by his own magical, supernatural powers of concentration. He actually believed that he could stop the bombers from reaching Israel and thereby save the Arabs, simply by willing the death of all who would help the Jews.

(The reference to the bombers concerns the senator's backing of sending 50 planes to Israel).

"His experiments in inducing the magical trances worked better than he realized -- they worked so well that they frightened Sirhan and convinced him that he was losing his mind, that he was going insane. Repeatedly, he would practice his lessons doing all that his correspondence courses prescribed, looking in the mirror, thinking thoughts of love and peace, only to emerge from his trance -- a trance that he did not really believe had actually happened -- to find his notebook filled with incoherent threats of violence and assassination.

"He knew it was his writing, but he had no knowledge or recollection of writing them. He concluded he was crazy and he feared to let anyone know what was happening. He thought they would lock him away in a mental hospital.

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He sought the remedy in his books on mysticism and the occult, and he daydreamed of the power of his gun, taking every opportunity on many different days to shoot it, firing hundreds and hundreds of shots as if each shot would somehow make up for his every growing sense of helplessness, impotence and fear of loss of self-control.

With absolutely no knowledge or awareness of what was actually happening in his Rosicrucian and occult experiments, he was gradually programming himself, exactly like a computer is programmed by its magnetic tape, programming himself for the coming assassination. In his unconscious mind there existed a plan for the total fulfillment of his sick, paranoid hatred of Kennedy and all who might want to help the Jews. In his conscious mind there was no awareness of such a plan or that he, Sirhan, was to be the instrument of assassination.

It is my opinion that through chance, circumstances, and a succession of unrelated events, Sirhan found himself in the physical situation in which the assassination occurred. I am satisfied that if he had been fully conscious and in his usual mental state he would have been quite harmless.

But he was confused, bewildered and partially intoxicated. The mirrors in the hotel lobby, the flashing lights, the general confusion -- this was like pressing the button which starts the computer.

I agree that this is an absurd and preposterous story, unlikely and incredible. I doubt that Sirhan himself agrees with me as to how everything happened.

Sirhan would rather believe that he is the fanatical martyr who by his noble act of self-sacrifice has saved his people and become a great

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hero. He claims to be ready to die in the gas chamber for the glory of the Arab people.

However, I see Sirhan as small and helpless, pitifully ill, with a demented psychotic rage, out of control of his own consciousness and his own actions, subject to bizarre dissociated trances in some of which he programmed himself to be the instrument of assassination, and then in an almost accidentally induced twilight state he actually executed the crime, knowing next to nothing as to what was happening.

Diamond related in court today that Sirhan, under hypnosis, filled in this picture of the hours leading up to the shooting:

After having four Tom Collinses at various political parties at the Ambassador Hotel on June 4, Sirhan went back to his car to go home, but felt "dizzy, drunk, sickish-tired."

He opened his car door, saw the pistol on the back seat and thought, "The Jews will steal my gun." He tucked the gun under his belt and returned to the hotel for some coffee to sober up on.

The defendant wandered around the hotel until he found a coffee bar located in an alcove between the Embassy Room, where the senator was speaking, and the Colonial Room, where the senator headed after the speech.

Reported a Los Angeles newspaper (Times) on Diamond's testimony:

"The alcove was walled with mirrors, and Sirhan became confused with the brightly lighted chandeliers reflecting in the mirrors, and the crowds of people, multiplied by the dozen in the floor-to-ceiling looking glass."

"He had several cups of coffee with a girl -- described as brunette and beautiful -- and Diamond said Sirhan was absolutely consistent in denying

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that there was any thought of doing anything with his gun.'"

Diamond added that he discounted the possibility that Sirhan might be faking mental illness, saying that among paranoid schizophrenics like Sirhan, their chief wish is to 'fake sanity, rather than insanity,' because they don't want to be thought of as psychotic,' reported the newspaper.

Continuing his testimony, the psychiatrist cited one previously undisclosed family scene, which he said, contributed heavily to Sirhan's mental deterioration.

In the summer of 1957, Sirhan's father, Bishara, and brother, Adel, were digging an irrigation ditch around a tree, while Sirhan skipped in the mud.

After warning Sirhan to stop, Bishara started to beat his son, but was stopped by Adel. Bishara, Diamond said, stormed into the house and told his wife, Mary, that she must choose between him or the children, because he demanded to be master of his house.

She chose the children, Diamond said, whereupon the father took the family savings, returned to Jordan and has not been in touch with his family since.

The doctor also revealed he once considered using sodium pentathol -- "truth serum -- on Sirhan instead of hypnosis, but Superior Judge Herbert V. Walker ruled this out.

It was explained that he made the ruling after learning that in rare cases a subject could die from the effects of sodium pentathol.

Judge Walker felt that the death of Sirhan, a Palestinian Arab, from a dosage of sodium pentathol administered by Jewish doctors -- Diamond

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psychologist Eric Marcus and psychiatrist Seymour Pollack -- would create endless political controversy, reported the newspaper.

* * *

TUESDAY, MARCH 25 -- The Sirhan trial was continued until Wednesday as the prosecution asked for time in which to study yesterday's testimony by Dr. Bernard L. Diamond.

According to a Los Angeles newspaper (Herald-Examiner), the prosecution, headed by Chief Dep. Dist. Atty. Lynn D. Compton, and including Dep. Dist. Attys. John Howard and David N. Fitts, were not prepared to attack Dr. Diamond's story today.

They won the 24-hour reprieve from Superior Judge Herbert V. Walker in order to study the testimony before beginning cross-examination.

Added the newspaper:

Part of the reason for this delay was the mechanics of the Sirhan trial. Unlike the other psychiatrists and psychologists in the case, Dr. Diamond prepared no written report.

The official record of Dr. Diamond's testimony was not available to the prosecution until 10 p.m. Monday from the office court reporter."

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WEDNESDAY, MARCH 26 -- Sirhan B. Sirhan was in a "dissociative state" -- a sort of self-induced trance -- the night he shot Sen. Robert F. Kennedy, a defense psychiatrist, Dr. Bernard L. Diamond, testified today under cross-examination by Dep. Dist. Atty. David N. Fitts.

One Los Angeles newspaper (Herald-Examiner) reported that Dr. Diamond told Fitts that Sirhan's practice of self-hypnosis was a warning signal "that should have led to the young Arab's commitment to a mental institution before June 2, 1968 -- the day the prosecution contends Sirhan staked out the Ambassador Hotel preparatory to shooting Kennedy early the morning of June 5."

The newspaper published this account of the questioning:

"Q. -- On June 2, Sirhan wasn't committable?"

"A. -- I, for one, would certainly have recommended his commitment."

"Q. -- But he hadn't done anything wrong at that time?"

"A. -- No, but I would have been very alarmed by his notebook and his psychic experiments. For a paranoid to use self-hypnosis and write such things in his note books is a warning signal that no psychiatrist could ignore.

"Sirhan was a very dangerous individual," Dr. Diamond concluded."

Regarding Sirhan's dissociative state, Fitts asked the psychiatrist what evidence he had to support the doctor's contention that Sirhan had had similar experiences previously.

"There is one thing," Diamond said. "I'm satisfied from the

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descriptions, and from what I observed when I had him under hypnosis that he had been in that state before."

Earlier, Diamond testified that Sirhan would have been disorientated and incapable of planning his own actions.

Here is part of the story published in another Los Angeles newspaper (Times):

"Fitts suggested to Diamond that Sirhan's mother, Mrs. Mary Sirhan, and his brother, Munir, might have told defense investigators and psychiatrists 'what they wanted to hear' about Sirhan's mental state, believing it would work to his benefit.

"Did you take into consideration (when you interviewed them) the Sirhan family's willingness to be helpful generally ... to look for excuses for his behavior?' Fitts asked.

"Diamond said that, to the contrary, he often found the Sirhans unwilling to discuss many elements of their history, particularly anything related to Sirhan's father.

"Fitts pressed the same point.

"'Don't you get the impression that she (Mrs. Sirhan) was laying it on a little bit when she discussed the horrors of war and the effects of the war on her son?' the prosecutor persisted.

"Diamond protested that suggestion.

"'It is impossible to magnify the horrors of war,' he retorted. 'I definitely do not think Mrs. Sirhan was 'laying it on.'

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"At this point, the 25-year old defendant glanced anxiously at his mother and brother, who were sitting in second-row seats in the courtroom.

Fitts produced a transcript of a February 2 meeting between Diamond and other psychiatrists and psychologists, and asked him to read a portion.

Diamond was quoted in the transcript as stating "the whole Sirhan family alternated between the grossest kind of evasion and deception and a kind of suggestible state of telling you what you want to know."

The prosecutor asked: "Didn't you make that statement?"

Diamond said he had, but that the statement had been taken out of context.

The Sirhans were evasive, he said, "only about a particular kind of information and certain events."

At this point, Fitts inquired: "If they were evasive and deceptive about one thing, might they not be evasive and deceptive about others?"

Said Diamond: "The answer to that would be obvious, Mr. Fitts, if you would only allow me to tell you what they were deceptive about."

Reported a Los Angeles newspaper (Times):

"After much wrangling about whether Diamond should be able to

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explain that one matter, he managed to say that they were only evasive when discussing the head of the family, Bishara Sirhan.

"In another tart exchange, Fitts charged Diamond was dodging his questions about what triggered the shooting at the Ambassador.

"Fitts drew the concession that Diamond believed that Sirhan in his normal state, even though he was a paranoid schizophrenic, would have been harmless had he not gone into a dissociative state.

"To explain this crime,' he said, 'you have to go back to Jerusalem in 1948, when Sirhan was a child and study the whole series of events since then.'"

Fitts said he accepted this, but asked whether the actual shooting had been triggered by a dissociative state brought on by drinking and by mirrors and bright lights in the hotel.

The doctor again refused to accept this and remarked, "I won't let you put words in my mouth and say I said what I didn't say."

"Doctor, I don't know why you're dodging me," Fitts said.

In further testimony, Diamond admitted that Sirhan lied on the witness stand when he denied prosecution witnesses' testimony that he practiced rapid-firing at a San Gabriel gun range last June 4.

Diamond said Sirhan lied because he feared the truth might reveal the depth of his emotional illness.

Concluded the newspaper (Times) story:

"Fitts, through several questions, sought to elicit from Diamond an admission that Sirhan had 'concocted' his story of the

assassination to put himself in a favorable light.

"But at that suggestion, Diamond smiled and said that if Sirhan had concocted his story, it was a story 'that couldn't possibly help him. He was willing to admit he killed Sen. Kennedy, hated him and carried out the assassination to prevent him from becoming president and keeping the bombers from Israel.'

"Fitts then quoted from Diamond's summation of his own testimony, where Diamond said, 'I agree that this is an absurd, preposterous story, unlikely and incredible.'

"Fitts asked Diamond who he 'agreed' with.

"Diamond smiled again and replied, 'I agree with the public and the world.'"

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THURSDAY, MARCH 27 -- The defense in the Sirhan B. Sirhan trial rested its case today and one Los Angeles newspaper (Herald-Examiner) predicted "the matter could go to the jury within 10 days."

After hearing from 29 witnesses, including seven psychologists and psychiatrists, Grant B. Cooper, one of three defense attorneys, read, for the first time in the jury's hearing, the transcript of a Feb. 4, 1968 chamber session in which the defendant accused Superior Judge Herbert V. Walker, who is presiding, of "railroading" him into the gas chamber.

"Having underscored that blowup, Cooper cleared the way for the prosecution to begin rebuttal testimony tomorrow," noted another Los Angeles newspaper (Times).

Today, two of the prosecution attorneys, John E. Howard and David N. Fitts of the Los Angeles County District Attorney's Office, sought unsuccessfully to open rebuttal with a 12-minute color film of Sen. Kennedy's speech last June 4, minutes before he was fatally shot.

Reported the newspaper:

"Howard argued that the film would show that Kennedy's speech contained nothing that could be construed as a 'triggering mechanism' for the dissociative emotional state in which the defense claims Sirhan killed Kennedy.

"After strenuous objection from Cooper that the film was immaterial, Judge Walker concurred, on two grounds:

"(1) that no one ever claimed Kennedy had said anything that night that precipitated Sirhan's alleged trance or even claimed that Sirhan had actually heard the speech, and

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"(2) a film of the happy, victorious senator could have an inflammatory effect on the jury outweighing the film's possible value."

As for testimony, Dr. Bernard L. Diamond, psychiatrist, conceded that Sirhan's story of killing Kennedy "raises the gravest problems of credibility" and reads "like a script that would never be acceptable in a Class B motion picture." However, Diamond made it clear he believes it.

In brief re-direct examination by Maile Zola Berman, another defense attorney, Diamond admitted he has termed his psychiatric findings on Sirhan as "an absurd and preposterous story, unlikely and incredible. In my opinion, this is the ultimate absurdity -- too illogical, even for the theater of the absurd."

The doctor also said that when he entered the case, he had no idea he would find evidence of "voodoo thinking" or "mail-order mysticism" and self-hypnosis involved in the slaying of Kennedy.

Reported Dave Smith, Times staff writer:

"The absurdity, he said, was that such superstitious elements could, through the killing of Sen. Kennedy, 'affect the destiny of this country and the entire world.'

As Diamond concluded this statement, Howard asked, 'Did you just read something?'

"Yes," said Diamond.

"When did you write it?"

"Late last night," Diamond said, 'about midnight.'

"The prosecution has clearly shown, without expressing it verbally,

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its disaffection for Diamond's vivid, eloquently worded expressions on Sirhan's mental illness, which Diamond has read in court from prepared statements.

"Shortly after Diamond, a full professor of law, criminology and psychiatry at UC Berkeley, was excused from the stand, it was read into the record that he served as the star defense psychiatric witness without fee."

Also testifying was Georgene Seward, a USC psychology professor, who was called on to evaluate two batteries of psychological tests administered to the defendant by two previous witnesses, clinical psychologists Martin M. Schorr and O. Roderick Richardson.

Dr. Seward said she agreed with the two that five different tests combined to portray Sirhan as a paranoid schizophrenic.

Reported the Times:

"At one point Dr. Seward said Sirhan's reaction to one test indicated the possibility of 'latent homosexual tendencies.'

"At that point, Sirhan glared at the doctor, leaned over to defense attorney Russell Parsons and snapped, 'What kind of a son-of-bitch do they think I am?'

"Howard, cross-examining Dr. Seward, attempted to draw from her, as the prosecution has doggedly tried to do with six previous psychiatric experts, admissions that Sirhan's responses to the tests could be construed as normal for a person in his circumstances.

"But, as with the prior witnesses, Dr. Seward would concede that one question or another might be open to different interpretations, but that the main direction of all tests, taken together, pointed to 'a clear case of schizophrenic reaction, paranoid type.'

"At one point she said that 'any good clinician' would never diagnose mental illness on the basis of only one question or even one test, but on the total picture.

"Howard chuckled and said, 'Yes, but a poor lawyer has to go through these tests one at a time.'

"Dr. Seward admitted that three of the tests administered to Sirhan have been criticized within the profession, but she defended their use."

The final witness for the defense was George DeVos of UC Berkeley, a psychologist and cultural anthropologist, who testified that he also examined Schorr's and Richardson's tests and arrived at the same diagnosis of paranoid schizophrenia without knowing they had.

Reported the Times:

"Like Dr. Seward, Dr. DeVos admitted that the Rorschach (ink-blot) test has been the subject of some criticism, but said he didn't doubt its validity and added that he had never seen a case of anyone successfully faking interpretations of the inkblots."

Noted the Herald-Examiner:

"Nearly 2000 pages of testimony have been taken in the case which has so far cost Los Angeles County almost \$400,000." The paper also stated that 86 witnesses had been heard by the jury.

Meanwhile, it was learned that Saidallah Sirhan, 36-year old brother of the defendant, was in serious condition in a Pasadena hospital after being struck by a car while crossing a street.

He was X-rayed for possible basal skull fracture and a broken right leg.

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The driver was not cited and police said the incident appeared to be a normal pedestrian-car accident.

Last July 7, Saidallah Sirhan reported that he was shot at twice on a freeway, but was not injured. The assailants were never apprehended.

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FRIDAY, MARCH 28 -- Dr. Seymour Pollack, USC psychiatrist, took the stand today at the trial of Sirhan B. Sirhan "in rebuttal to testimony of defense psychologists and psychiatrists that Sirhan is so mentally ill he is incapable of 'maturely and meaningfully premeditating murder,'" according to a Los Angeles newspaper (Herald-Examiner).

Politics -- not mental illness -- drove Sirhan to shoot Sen. Robert F. Kennedy, Pollack told the court, stating, "I consider Sirhan to be mentally disturbed. But I believe his assassination of Sen. Kennedy was motivated by political reasons that were highly emotionally charged."

The doctor said he spent about 40 hours interviewing Sirhan and his family, and close to 200 hours reviewing all materials about the defendant, "about 10 times" the normal amount of time spent in criminal psychiatric investigation, related the newspaper.

Dr. Pollack said he believed Sirhan to have a "paranoid personality," and that he has exaggerated notions of persecution.

He disagreed with his defense contemporaries, however, that Sirhan developed his mental illness at an early age. Despite the fact that Sirhan witnessed the horrors of the 1948 Arab-Israeli War as a child in Jerusalem, the doctor said he "incurred less, rather than more, emotional disturbance" than did many other Arabs.

Continued the newspaper report:

"Sirhan's mother protected him, the psychiatrist explained, and

more --

'except for the fact he was a frightened child, there was no other evidence of peculiar behavior.'

"Sirhan arrived in the United States at the age of 12, he said, as 'a hopeful, idealistic, well-behaved young man.

"I found no evidence of paranoia in Sirhan during his child and teen years,' he said."

Pollack indicated the paranoia began to develop in Sirhan's early 20's, triggered by the death of his sister, Ayda, and the arrest of his brother, Sharif, who was charged with tampering with an auto.

Added the newspaper's story as related by Myrna Oliver, staff writer:

"Prior to the psychiatrist's testimony, prosecution attorneys called handwriting expert Lawrence W. Sloan to discredit defense claims that Sirhan wrote threats on Kennedy's life while in a state of self-hypnosis.

"Sloan said, after comparing the written threats in Sirhan's diaries and 'automatic writing' which Sirhan did in his cell after being hypnotized by defense psychiatrist Dr. Bernard L. Diamond..., that Sirhan was not 'under a state of hypnosis' when he scribbled, 'RFK must die, die, die.'

"District Attorney's investigator George W. Murphy, Los Angeles Police Dept. Sgt. Adolph B. Melendres and LAPD Sgt. Frank J. Patchett, who spent several hours with Sirhan after his arrest, were also called to testify that the defendant was sober when he shot Kennedy.

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"Sirhan's attorneys, in trying to prove he was in a state of diminished capacity at the time of the shooting, have said he was self-hypnotized after his arrest for the June 5 shooting. 'His demeanor was that of a sober man.'"

Judge Herbert V. Walker today announced that there would be no court session on Monday, March 31, because of the death of former President Dwight D. Eisenhower.

Said the judge: "Certainly this man (Eisenhower) was one of the greatest Americans of our generation. He certainly deserves all the respect we can afford him."

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 9, 1969
After 10 a.m.

WEEKLY SUMMARY #44

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 44th summary, and others will be for release on subsequent Wednesdays.

MONDAY, MARCH 31 -- An Associated Press story published in today's editions of a Los Angeles newspaper (Herald-Examiner) said a "three-cell suite is being prepared for Sirhan Bishara Sirhan at a state medical facility in case he is convicted of murdering Sen. Robert F. Kennedy and sentenced to life imprisonment, a state official said Sunday.

"Sirhan's large quarters, now being walled off, will have a kitchen-dining room, a bedroom, a living room and a lavatory with shower," said Philip D. Guthrie of the California Adult Authority.

"The cell, which Guthrie said would protect the occupant from other prisoners, is at the California Medical Facility at Vacaville, near Sacramento."

Sirhan is accused of first degree murder in the assassination of Kennedy. If the jury convicts him of that charge, it will choose between death and life imprisonment as the penalty, related AP.

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SEARCHED	INDEXED
SERIALIZED	FILED
APR 1969	
FBI - LOS ANGELES	

APR 9 1969

Continued the wire service story:

"If given a life sentence, Sirhan would be sent to the medical facility for 'indefinite confinement -- many months or even years,' a standard procedure for prisoners with mental problems, Guthrie said.

"We'll need some reading of his frame of mind and we'll also want to assess the reaction of other inmates."

"Guthrie added that the California Adult Authority is asking the Legislature for special legislation so Sirhan could be held at Vacaville if he receives the death penalty instead of being sent, as state law requires, to Death Row at San Cuentin Prison.

"He attributed the request to 'questions brought up about Sirhan's mental condition' and Sirhan's 'notoriety.'"

TUESDAY, APRIL 1 -- Sirhan B. Sirhan, who is on trial for the slaying of Sen. Robert F. Kennedy "flew into a rage" today when a prosecution psychiatrist in effect called him a liar," reported a Los Angeles newspaper (Times).

Dr. Seymour Pollack testified that he didn't believe the defendant "really couldn't remember writing in his notebook of his intent to kill" the senator, related the newspaper.

Continued the news story:

"Pollack said he regarded Sirhan's claimed amnesia as 'an attempt to avoid the serious consequences that could result if the notebook was attributed as evidence of his premeditation to murder Kennedy.'

"Sirhan."

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"Though Pollack did not use the word 'lie,' Sirhan quickly grasped the import of Pollack's testimony and jumped to his feet, shouting 'Your honor, sir...!'

"Four husky deputies jammed the tiny Palestinian Arab back into his chair as Superior Judge Herbert V. Walker warned: 'You settle down or I'll do what I told you I'd do.'"

(In February, during another outburst, the judge told Sirhan that he would be gagged and tied in the courtroom if the outbursts continued.)

Sirhan didn't settle down today, and told Russell E. Parsons, one of three defense lawyers, "I Told the truth and I don't like him to call me a liar."

The judge called a recess and ordered the jury to retire as four deputies ushered the defendant out of the courtroom. During the 15-minute recess, Parsons calmed the ruffled defendant, and the trial resumed following an apology by Parsons on behalf of his client.

Pollack continued that he believes Sirhan wasn't telling the truth about his alleged amnesia regarding the notebook writing. In earlier testimony the doctor said he didn't believe Sirhan was suffering psychotic delusions when he shot the senator.

Meanwhile, another Los Angeles newspaper (Herald-Examiner) related the following:

"Defense lawyer Emile Zola Berman claims that the psychiatrist, Dr. Seymour Pollack, reported to Dist. Atty. Evelle J. Younger that

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Sirhan was mentally ill -- suffering from paranoid schizophrenia. Then, according to Berman, Dr. Pollack changed his mind and his report.

"Pollack said he thinks the defendant is 'a developing paranoid personality,' but his diagnosis stopped far short of the testimony of seven defense psychiatrists and psychologists who unanimously diagnosed Sirhan as a paranoid schizophrenic," reported the Times.

Continued the article:

"Pollack said he felt Sirhan's mental illness fell under the classification described as 'psychosis, non-psychotic.' He described this as a condition in which a person may exhibit psychotic tendencies in a clinical sense.

"Although he said Sirhan showed paranoid tendencies, Pollack said he found no evidence of paranoid delusions or of organic brain damage -- which the defense has never claimed -- nor had he found evidence of 'peculiarity' in Sirhan's sexual fantasies or of 'bizarre thinking' in his attitude towards (former) President Johnson, former U.N. Ambassador Arthur Goldberg or Sen. Kennedy.

"In his notebook, Sirhan had written over and over about two girls he had known slightly, and he also wrote of his desire to assassinate (former) President Johnson and Goldberg as well as Kennedy.

"Pollack said Sirhan's feelings toward these people were not delusionary, but based on political disillusionment and a resentment of what he believed was hypocritical in American policy toward the Palestinian Arabs and the Israelis."

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Sirhan regarded Kennedy's activities as a sellout to American Zionists whose votes he needed, and 'with this attitude toward Kennedy in mind, Pollack said, Sirhan didn't believe he should be punished for killing such a person, because the killing was politically motivated and justified, in Sirhan's view," reported the Times.

Continued the newspaper:

"I don't believe Sirhan expected to be caught," Pollack said

"Pollack said Sirhan has shown no remorse for killing Kennedy but that Sirhan has had 'some conflict' about the idea of killing another human being. It is his belief that Kennedy betrayed the Arabs, Pollack indicated, that enabled him to feel no remorse for his act.

"Pollack conceded that Sirhan's claimed amnesia could also be a retrograde amnesia rather than a deliberate lie. Retrograde amnesia, he said, is a form of amnesia that develops after an event, when a person cannot bear to face knowledge of what has happened.

"Pollack said he also believes Sirhan's account of his activities up to the time of the killing, with one exception. 'I believe,' said Pollack, 'that he went to the Ambassador Hotel with the conscious intention of killing Kennedy.

"The psychiatrist also conceded that 'it is probable that Sirhan had a few drinks' the night of June 4, at political victory parties at the hotel. The defense claims Sirhan's shooting of Kennedy was done in a dissociative trance partly induced by drunkenness.

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"Pollack said he thinks the possibility that Sirhan might have been in a dissociative state or self-induced hypnotic trance when he shot Kennedy is 'extremely remote.' He said Sirhan 'killed Kennedy because he hated him for what he stood for' and because Sirhan wanted to call attention to the plight of his people.

"In answer to questions by Dep. Dist. Atty. John E. Howard, Pollack said he believes Sirhan was not suffering diminished mental capacity at the time of the shooting, but was quite able to harbor malice aforethought, form the intent to kill and reflect on the consequences," concluded the article.

Meanwhile, another Los Angeles newspaper (Herald-Examiner) reported that 'the defense suffered a major blow in Dr. Pollack's testimony.

"The defense contends that Sirhan's mental capability is so badly impaired that he lacked the ability either to premeditate Kennedy's fatal shooting or to comprehend the gravity of his act.

"If the jury of seven men and five women credit the defense theory, Sirhan probably will be spared the death penalty. If the jurors believe Pollack, the diminutive Jordanian immigrant could face the gas chamber."

WEDNESDAY, APRIL 2 -- Value of psychological testing and psychiatric terminology "came under attack" today in the Sirhan murder trial "as the defense launched what it promises will be a harrowing cross-examination" of the prosecution's psychiatric witness, reported a Los Angeles newspaper (Times.)

... his testimony on the witness stand today, the witness
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In his third day on the witness stand today, the witness, Dr. Seymour Pollack, said he did not believe, as the defense has contended, that Sirhan was in a dissociative state or hypnotic trance when he shot and killed Sen. Robert F. Kennedy.

Agreeing that Sirhan is mentally ill, the doctor "steadfastly avoided terming him a paranoid schizophrenic, as seven previous psychiatrists and psychologists have called the defendant," said the newspaper.

Another Los Angeles newspaper (Herald-Examiner) reported that Grant B. Cooper, one of Sirhan's attorneys, challenged an earlier statement by Pollack that the defendant was only slightly mentally ill.

Cooper read "the psychiatrist's Feb. 5 report to Dist. Atty. Evelle J. Younger, in which he described Sirhan as 'psychotic.'

"The report said in part, '...In my opinion the killing of Sen. Kennedy was a political assassination by a psychotically disturbed defendant.'

"Dr. Pollock told the court, however, that he meant Sirhan 'psychotic' not 'clinically psychotic.'

"The psychiatrist said a psychotic was a person suffering from psychosis,' a term used by me in the broad sense meaning that an individual may have within a long continuum a mild or minimum to severe degrees of personality disorganization.'

"'Clinically psychotic,' he said, meant 'clinical evidence -- something you can see or feel or interpret -- of minimum to major

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evidences of mental impairment.'

"Jousting with Cooper over semantics, Dr. Pollack indicated a person could suffer minor 'psychotic' symptoms and still be able to plot a murder, but that those minor symptoms would not make him 'clinically' or measurably psychotic.

"Dr. Pollack also admitted, prodded by Cooper's questions, that it is 'possible' that Sirhan would have demonstrated greater psychosis if he had had more time to examine him."

, Pollack said that he had spent about 25 hours with the defendant between last June and Feb. 1, "and admitted that he later wrote that longer sessions would 'probably' uncover more serious signs of psychosis," related another Los Angeles newspaper (Times).

Continued the newspaper:

"'This defendant is on trial for his life,' Cooper interrupted 'If you felt it was probable that you would find signs of psychosis, don't you think you should have asked for more time with him?'

"Pollack, obviously angry, replied that the chief defense psychiatrist, Dr. Bernard L. Diamond, had become 'angry and resentful' at Pollack's reluctance to divulge his conclusions" at a Feb. 2 gathering of psychiatrists and psychologist and that he had therefore not sought further meetings with the defendant.

Reported another Los Angeles newspaper (Herald-Examiner):

"Cooper sought further to discredit Dr. Pollack's diagnosis of Sirhan by questioning the interviews with witnesses of the shooting on which much of it was based.

"Dr. Pollack admitted that the lay witnesses, themselves involved in an emotional situation, 'could easily miss the diagnosis of psychosis...unless they had had special training.'

"He also conceded that equally qualified psychiatrists could look at the same symptoms in a patient and draw different inferences from them, but insisted, 'our inferences are generally more than less likely alike.'

"Dr. Pollack said he 'gave less weight' to psychological test results than to personal interviews with Sirhan and others because the 'total picture' did not bear out what the tests indicated.

"He said he felt Sirhan's Arab background may have influenced his responses to the tests, causing exaggerated results of psychotic signs."

Meanwhile, a Los Angeles newspaper (Times) today offered additional information on facilities being planned for possible use by Sirhan, "if and when" he reaches the California Medical Facility for prisoners at Vacaville.

Reported John Kendall, staff writer:

"He (Sirhan) will be under the direct supervision of a guard 24 hours a day and his meals will be prepared individually, probably by

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a guard.

"Prison officials are afraid the little 25-year old Palestinian Arab might be killed if he were to mingle with other prisoners.

"We have unconfirmed grapevine reports that there are inmates that would want to kill him," said Phil Guthrie, information officer for the State Department of Corrections in Sacramento.

"Probably we have never had a more notorious case, if we get him. We have an obligation to keep people in, but we have an equal obligation to protect them."

Guthrie, related the newspaper, "disputed that Sirhan was to receive a red carpet treatment.

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THURSDAY, APRIL 3 -- In his fourth day on the witness stand, Dr. Seymour Pollack, prosecution psychiatrist, said today "that when he wrote his first diagnosis of Sirhan B. Sirhan, he thought Sirhan would never be tried for the killing of Robert F. Kennedy," according to a story in a Los Angeles newspaper (Times).

The newspaper related that Pollack wrote a "confidential" report on Feb. 5 to Dist. Atty. Evelle J. Younger in which he described the defendant as a "psychotic...suffering from a borderline schizophrenia, with paranoid and hysterical features."

The report was written after a Feb. 2 meeting between Pollack and psychiatric and psychological consultants to the defense who agreed that Sirhan was mentally ill.

Said the newspaper:

"On the basis of that meeting, the defense and prosecution agreed to a plea of guilty to first-degree murder with life imprisonment. But after Superior Judge Herbert V. Walker rejected the agreement and ordered the trial to proceed before a jury, defense attorney Grant Cooper charged Thursday, Pollack wrote another report, in which Sirhan's mental illness was described less boldly.

"In a 30-page report dated March 21, after the trial was already 2½ months along, Pollack termed Sirhan 'a developing paranoid personality.'"

Today, Cooper asked the doctor if he hadn't believed on Feb. 5 that Sirhan would never come to trial, and Pollack replied: "I was led to believe that, yes."

Cooper also asked Pollack if he hadn't also believed that the Feb. 5 report would never have reached the defense, and Pollack denied this. He said he knew it would have been entered in testimony if the case had come to trial.

The defense attorney then asked why Pollack's March 21 report did not term Sirhan a psychotic, and Pollack replied that he had intended only to discuss Sirhan's motive in killing Kennedy, not his mental state when he did it.

Pollack insisted today, "I have said all along (in direct testimony) that I considered the defendant a borderline schizophrenic."

Continued the newspaper story:

"Cooper challenged Pollack, insisting he had never used that term on direct examination by the prosecution, and Pollack agreed he may not have.

"Pollack insisted that he stood by the diagnoses in both his first and second reports and insisted they were not conflicting.

"He denied implications that he had sought to minimize his earlier findings, in which agreement with defense arguments on Sirhan's mental condition seemed more apparent.

"There were several heated exchanges as Cooper and Pollack parried for points in what essentially was a semantic argument. Pollack explained time and again that psychiatric 'labels' in court cases are often misleading.

"Cooper returned to a previous statement of Pollack's that if he had had more than 25 hours with Sirhan he might have unearthed more definite signs of psychosis, but that on the basis of that limited time, he had not found strong symptoms.

"Citing Sirhan's alleged delusions of persecution and his fantasies of destruction and death, mostly to Jews, Cooper asked if Pollack might not have seen these delusions if he had spent more time on the case.

' "Pollack, obviously flustered, admitted 'If this is a criticism, I accept the criticism.'

"Noting that several psychological tests had unearthed such delusionary thinking, Cooper asked if perhaps the tests hadn't got farther beneath Sirhan's surface than Pollack had.

"Pollack, his voice rising to a shout, said they might have, but only 'as they applied to psychological material, not as they applied to reality.'

"He explained that tests showed what Sirhan's inner reality was like, but that he judged Sirhan's mental state on the basis of his outward behavior."

The newspaper noted that Pollack said Sirhan believed it was good and right for him to kill Kennedy because of Kennedy's support for Israel. Cooper asked if this wasn't delusional thinking, and the psychiatrist said it wasn't.

Added the newspaper:

"One key point in much of Pollack's testimony was his contention that Sirhan had shown no outward symptoms of psychosis. Sirhan's notebook writings of his intent to kill Kennedy, his mystical experiments with Rosicrucianism and his violently anti-Zionist political views, Pollack said, were not by themselves, considered separately, symptomatic of psychosis.

"Cooper made it obvious that he felt these matters should not be dismissed one by one as unsymptomatic, but considered together, in light of psychological tests to which Pollack said he also gave less weight than eyewitnesses' descriptions of Sirhan's outward behavior.

"With obvious anger, Cooper asked Pollack, 'Could the killing of Sen. Kennedy be considered a symptom of paranoid schizophrenia?'

"After a long pause, Pollack said, 'Yes, it could.' He began to amplify his answer but Cooper cut him short.

"Testimony ended Thursday on a dramatic high point as Cooper declaimed from Pollack's Feb. 5 report: 'I believe that Sirhan's mental illness was related to his act of assassination in that his paranoid convictions went beyond those of a normal personality in the average citizen.

"This mental illness should be considered a substantial mitigating factor on the issue of penalty.'

"Cooper skipped one portion for brief questioning of Pollack, then went back, minutes before adjournment, to read the omitted portion:

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"Should a conviction of murder of the first-degree be obtained, I hope that Sirhan is able to avoid the death penalty and is sent for treatment to the California Medical Facility at Vacaville."

"Pollack acknowledged that, 'as you know, I am strongly opposed to capital punishment for moral and ethical reasons.'"

Another Los Angeles newspaper (Herald-Examiner) reported that "a new picture of Sirhan in the days immediately following Kennedy's fatal shooting also emerged."

The newspaper was referring to a report of Dr. Marcus Crahan, County Jail physician, who examined the defendant on June 6 and 7.

Crahan wrote the following, which was read into the record, according to the newspaper:

"(My) interviews revealed an unconcerned young male...entirely pleased with himself...showing no remorse, no regret."

Crahan said he found Sirhan, whom defense psychiatrists insist was suffering from acute mental illness at the time, "alert, wary, impassive, unconcerned and well directed."

At the time, according to Crahan, Sirhan believed Kennedy still lived...that the shots had not been fatal.

Then an attorney visited the young Arab and told him of Kennedy's death. After this, according to Crahan:

"Sirhan appeared exhausted and complained he had had no sleep... His attorney had no doubt told him his victim had expired. This may have accounted for his exhaustion."

The same newspaper indicated Sirhan told Pollack he believed he should receive a sentence of "a couple of years" for Kennedy's murder.

"He felt that was all the act deserved, if anything," the psychiatrist said.

FRIDAY, APRIL 4 -- Dr. Seymour Pollack, psychiatrist for the prosecution in the Sirhan B. Sirhan case today said the defendant told him several times that "he was through with the whole damned thing. He was through with psychiatrists bugging him and he wanted out. He wanted to plead guilty."

Pollack related that these incidents, like similar outbursts after the murder trial began, were "temper tantrums in a paranoid individual."

The doctor told the jury he did not believe Sirhan was faking the tantrums.

Reported a Los Angeles newspaper (Times) on today's session:

"In final cross-examination, defense attorney Grant B. Cooper asked Pollack if he felt Sirhan had shown inappropriate responses for a man in his circumstances -- overreacting, smiling at serious moments and paying little attention as the possibility of a death penalty was discussed.

"Pollack said he had not seen 'the degree of inappropriate response we see in a psychotic person,' but said Sirhan's responses were more 'impulsive and volatile' than those of a normal person on trial for his life. 'I suspect he wishes he could control himself better,' Pollack said."

Pollack said he had seen a lot of the defendant and confided, "I have actually gotten somewhat to like Sirhan. He may still think I'm an s.o.b."

In further questioning, Cooper asked if Pollack still believed that although Sirhan is mentally ill, his illness was not so severe as to diminish his mental capacity to maturely and meaningfully premeditate Kennedy's death.

Reported the Times:

"Pollack replied that he did believe it 'with reasonable medical certainty.'

"Cooper asked if he believed if 'beyond reasonable doubt' -- a condition on which a first degree murder conviction must be based.

"Pollack said he regarded 'beyond reasonable doubt' as a moral judgment which he, as a doctor, did not feel qualified to make.

'Reasonable medical certainty,' he said, is a medical judgment which does not equate with the moral concept.

"Under redirect examination by Dep. Dist. Atty. John E. Howard, Pollack read at length from the transcript of a Feb. 2 meeting between psychiatrists and psychologists for both the defense and prosecution.

"It was after this meeting, at which there was general agreement that Sirhan was mentally ill and to some degree, that the defense and prosecution agreed to change Sirhan's plea to guilty, with an understanding that he would be sentenced to life in prison.

"However, the agreement fell through and the plea remained not guilty.

"The transcript of the meeting revealed a sharp dispute between Pollack and defense psychiatrist Bernard L. Diamond, who expressed

irritation at Pollack for not revealing his conclusions about Sirhan's mental state."

Yesterday, Pollack contended that Diamond had given him to understand he could have no further interviews with the defendant after his last interview on Feb. 1.

However, the newspaper pointed out:

"...the transcript showed it was Pollack who first suggested that it would be of little further value for him to see Sirhan again. On Thursday, Pollack had testified that if he had had more than 25 hours with Sirhan, he might have seen clearer evidence of Sirhan's alleged psychotic symptoms.

"Diamond, on Feb. 2, told Pollack, 'I do not feel, Seymour, that you have played fair.' Diamond said Pollack had 'evaded' and 'quibbled' while defense psychiatrists and psychologists had made full disclosures, and said Pollack had 'misused the conference' by holding back his opinions.

"Pollack insisted, at that meeting and in his testimony this week, that at that time he had not come to any conclusions.

"But he confirmed that two days after the meeting, on Feb. 4, he dictated an 18-page diagnosis in a confidential memo to the district attorney's office.

"At that time, Pollack confirmed Thursday, he had not thought the case would come to trial. But after Superior Judge Herbert V. Walker ordered the trial to proceed before a jury, Pollack wrote another report on March 21."

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 9, 1969

ADDITION TO WEEKLY SUMMARY #44

Re: The assassination of
Senator Robert F. Kennedy

WEDNESDAY, APRIL 2 -- The cost of the Sirhan trial to date is well in excess of \$850,000, according to a report in a Los Angeles legal newspaper (Daily Journal) quoting Supervisor Kenneth Hahn.

He said, "this undoubtedly is the most expensive trial in Los Angeles County history and certainly will cost \$1 million before it is ended. Any appeals will add to the expense."

Hahn broke down the cost as follows: county, through Feb. 28, \$449,767; estimated county costs for March, \$50,000; additional Sheriff's Department costs not audited, \$100,00; estimated Pasadena Police Department costs, \$50,000; and Los Angeles Police Department, \$208,829.

Continued the official:

"Although it is unfortunate the people of Los Angeles County have to pay for the expenses of the case, the trial is worth every penny."

"If it reveals the truth of what happened that night last June, and if it guarantees Sirhan Sirhan justice, then who can say the cost is not justified."

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APR 21 1969	
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1073

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 16, 1969
After 10 a.m.

WEEKLY SUMMARY #45

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 45th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 7 -- Dr. Leonard B. Olinger, instructor in abnormal psychology at USC, said today in court that he disagrees with two previous clinical psychologists' diagnosis of Sirhan B. Sirhan as a paranoid psychotic with schizophrenic reaction.

According to one Los Angeles newspaper (Herald-Examiner), Olinger "believes Sirhan is not seriously mentally ill. So concerned did he become by claims of defense alienists that the young Arab does suffer serious mental impairment, he volunteered his services to Dep. Dist. Atty. John Howard."

Continued the newspaper:

"As Dr. Olinger sees Sirhan:

"He is...relatively intact...hardly impaired, gifted in certain imaginative ways, capable of seeing the overview, proceeding in a highly organized method, giving a harmonious kind of performance.

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APR 21 1969	
FBI - LOS ANGELES	

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"...There is an indication that there is some measure of control over emotions, good ability to make judgments, even if these do not correspond to the judgments of other people, remarkably little distortion of the material or of the individual's perception of the outside world...Despite his fundamental differences in political views, he holds to them on the basis of ideas, notions and value systems that are important to him...There are some indices of character disorder. Most indices are of neurosis...especially hysteria and obsessive compulsion. There are few indices of schizophrenia (divided personality)."

"Asked to pin a specific label on Sirhan, Dr. Olinger summed up, 'He would be a borderline schizophrenia with principally neurotic features...suffering from pseudo-neurotic schizophrenia.

"Howard then asked the psychologist if on June 5, 1968, when Sirhan admittedly shot Kennedy at the Ambassador Hotel, he had the capability to 'meaningfully and maturely premeditate and carry out the killing.'

"Dr. Olinger replied:

"The (psychological) tests strongly suggest that he could."

In a report in another Los Angeles newspaper (Times), Olinger told the jury he believed that the two previous clinical psychologists, Drs. Martin M. Schorr and O. Roderick Richardson, approached Sirhan with preconceived notions of what they should find, knowing they were testing the man who killed Kennedy. He also indicated the pair "subsequently

interpreted test data in light of their expectations," said the newspaper.

Continued the article:

"In disputing Schorr's diagnosis, Olinger said Sirhan was not showing paranoid tendencies but common sense when he gave affirmative answers to these true-false statements:

"'I know who is responsible for my trouble.'

"'I am sure I am being talked about.'

"'I have been in trouble with the law.'

"'I have enemies who wish to harm me.'

"'I tend to be on guard around people who are friendlier than I expect them to be.'

"'I feel uneasy indoors.'

"As Sirhan had been jailed since June 5, Olinger said, his positive answers to all these indicated that he 'had good contact with reality' and that his suspicions weren't paranoid but all too true."

(The Los Angeles Herald-Examiner noted that Olinger "added that it was his belief that neither Dr. Schorr nor Dr. Richardson had given sufficient weight to the fact that Sirhan has been jailed for several months and faces a capital murder charge in evaluating his tests.

("Sirhan has not seen the sun, nor the outdoors since early last June when he was transferred from the County Central Jail to an isolation cell in the Hall of Justice.")

Continued the Times report:

"...the effect of Olinger's testimony on the jury, while difficult to determine exactly, was hardly galvanizing. For more than a month they have listened to such psychiatric verbal shorthand as 'C-prime response,' 'small animal movement,' 'inanimate movement,' 'large human movement,' 'pure form response,' 'large H and small fm,' 'large F and little c' and 'TH column.'

"It is debatable how efficiently the jurors have been able to translate such arbitrary terms in their meaningful emotional equivalents. But the mere effort has exacted a toll that was apparent Monday as they listened to still more of the same with faces that ranged a gamut of expression from boredom to stupefaction.

"Olinger enunciated what he termed the 10 basic precautions to be observed in administering psychological tests -- two of which, he made clear, he felt Schorr and Richardson had violated.

"These were 'the law of parsimony, or Occam's Razor' -- giving the simplest, most factual interpretation of data -- and the 'Procrustean Fallacy.' This last derives from Greek mythology, in which the robber Procrustes thrust his victims into a bed and then stretched the short ones to fit the bed or lopped off the tall ones at the head or knees.

"Ripples of amusement alternated with ratters of confusion in the courtroom as testimony translated into talk of how this or that interpretation was 'fitted for a Procrustean bed.'

"Sirhan, meanwhile, seemed frankly disinterested for most of the day."

In cross-examination by Grant B. Cooper, defense attorney, Olinger said he contacted the District Attorney's Office and offered consultation.

Later, Chief Dep. Dist. Atty. Lynn D. Compton "told reporters that Olinger had not wanted to testify, but later agreed after he had examined the defense consultants' test results," reported the Times.

TUESDAY, APRIL 8 -- Both the prosecution and defense rested today in the trial of Sirhan B. Sirhan, the accused assassin of Sen. Robert F. Kennedy, as the final prosecution witness, Leonard B. Olinger, psychologist, completed testifying.

As Olinger, the 90th witness, spoke, Sirhan, according to a Los Angeles newspaper (Times) "betrayed not a flicker of interest as defense counsel Grant B. Cooper finished cross-examination."

The newspaper added that Olinger was the last of 10 psychologists and psychiatrists to testify and his "opinion differed sharply not only with the eight expert witnesses for the defense but also with the prosecution's star witness, psychiatrist Seymour Pollack.

Related the newspaper:

"Defense testimony painted Sirhan as a paranoid psychotic with schizophrenic reaction, unaware of and unable to control his actions when he shot Kennedy last June 5.

"Pollack termed Sirhan a paranoid personality with a borderline schizophrenia but held that his mental illness did not reduce his capacity to maturely and meaningfully premeditate and carry out murder.

"Olinger, while agreeing with Pollack that Sirhan was not a victim of diminished capacity in his planning of Kennedy's death, diagnosed Sirhan as a 'pseudo-neurotic schizophrenic' -- which he said is not a recognized clinical label for real psychosis but a mere descriptive term for a condition much less serious than even Pollack had found.

"Olinger flushed frequently under a blistering cross-examination by Cooper, who sought to draw an admission that Olinger solicited his way into the case only last month.

"Olinger said he telephoned the prosecution shortly after psychologist Martin H. Schorr began testimony. Olinger said he disagreed with inferences in Schorr's testimony he had read in the newspapers.

"Citing Olinger's own testimony Monday about the care psychologists must take in interpreting clinical tests, Cooper asked if Olinger hadn't violated his own precautions in forming attitudes about the Sirhan case on the basis of newspaper accounts. Olinger said he hadn't.

"Citing Olinger's testimony that Schorr and other psychologists, knowing whose tests they were evaluating, might have interpreted the tests in a way that matched their preconceived notions about Sirhan, Cooper then asked Olinger if he hadn't also known in advance whose tests he was interpreting and whether he hadn't been slightly influenced by that knowledge.

"'Some,' said Olinger.

"Cooper also launched an oblique attack on Olinger's professional qualifications as compared to those of defense witnesses, two of whom, Cooper noted, were professors of psychiatry at USC and UC Berkeley. Olinger is a part-time instructor in abnormal psychology in USC's extension division.

"Cooper asked repeatedly why Olinger had phoned the prosecution rather than the defense, and Olinger replied, "I believed I could be of help.'

"Not to the defense,' Cooper interjected.

"Not particularly to the defense,' Olinger said.

"To the prosecution?' Cooper asked.

"Not particularly to the prosecution,' said Olinger.

"Then whom did you believe you could help?' Cooper asked.

"I thought I could help justice,' Olinger replied.

"In giving information to the prosecution?' asked Cooper.

"In this case, yes,' Olinger said."

The newspaper noted that "Olinger's appearance was the capstone of more than a month's obscure, technical psychiatric jargon, in which both the defense and the prosecution waged a hot war of psychiatric attrition.

"The defense sought to command the jury's respect for their case by stunning them with expert witnesses of both solid and/or glittering reputation and with no fewer than six clinical psychologists who corroborated and confirmed yet again the findings of the others.

The prosecution chose, with its two experts, to try to deflate the defense theories with sober, logical outlines of verifiable fact. In cross-examination of defense experts they inched painstakingly, sometimes maddeningly, over and over the same tiny technical points.

"The stated aim was to find and enlarge weak spots in the ornate psychiatric facade erected by the defense.

"But the more likely aim appeared to be to thoroughly sicken the jury on all psychiatric testimony, pushing jurors from confusion

through boredom and to such exasperation that they might wave aside all expert testimony and weigh the case solely on these facts:

"That Sirhan hated Zionism and its allies, wrote of his intention to kill Kennedy, did so and isn't sorry.

"As the prosecution prepared its final arguments, Chief Dep. Dist. Atty. Lynn D. Compton confirmed what has been common knowledge since early February -- that the prosecution will not press for the death penalty for Sirhan. Nor will they ask the jury not to impose it."

Today's session in court took place only in the morning, due to an in-chambers meeting on Judge Herbert V. Walker's instructions to the jury.

Reported a Los Angeles newspaper (Herald-Examiner):

"Dist Atty. John B. Howard said that part of the delay was caused by procedural matters and part by a disagreement over proposed instructions to the jury.

"While neither side would comment on the disagreement, there were authoritative reports that the two sides were split as to the fine details of the law of 'diminished capacity' in California. The defense of diminished capacity is the core of Sirhan's case.

"The law provides, in effect, that if the jury believes Sirhan lacks the mental capacity to 'meaningfully and maturely' premeditate and carry out Sen. Kennedy's killing, he cannot be sentenced to death -- even though he admits the slaying. A battery of defense and pro-

secution psychologists and psychiatrists have said he lacks this capacity. Dr. Olinger and psychiatrist Dr. Seymour Pollack have testified that in their opinion, he does have this capacity.

"Guided by the law as it is given them by Judge Walker, the jury will make the final decision.

"Judge Walker has been at work on his instructions to the jury for the past several weeks. However, each side has the right to offer additional suggestions to the jurist at the close of the case.

"Lawyers' summations and Judge Walker's instructions are expected to take the remainder of this week. It is now expected the jury will get the case Monday.

WEDNESDAY, APRIL 9 -- Sirhan B. Sirhan is being depicted on posters distributed by the Palestine Liberation Organization "as a heroic Arab commando," according to William Tuohy, Beirut correspondent for a Los Angeles newspaper (Times). it was reported today.

"Circulation of the posters," wrote Tuohy, "adopting Sirhan as a member of the Palestinian cause, is the most significant development in the Arab reaction to the Sirhan trial, sources here (Beirut) say.

"The trial has been widely reported in the Arab press and followed closely.

"However, because of a decision by Arab governments to adopt a hands-off policy on the Sirhan case, very little editorial comment has been made about the trial.

"One of the few occasions when Arab editorialists complained came when psychiatric testimony at the trial suggested Sirhan had killed

Kennedy while mentally deranged.

"Sirhan is not a madman," argued one editor.

"There has been an awful lot of testimony at the trial in Los Angeles about Sirhan's sanity," says one veteran Arab affairs specialist here (Beirut), "but if you go into one of those Palestinian refugee camps in Jordan, you will find a lot of people with the same mental makeup as Sirhan."

"The commandos hope, in their widely distributed posters, to capitalize on the extremist view that Sirhan was acting rationally on behalf of the Palestinian guerillas -- to wipe out a hated enemy."

In court today, the prosecution in the Sirhan B. Sirhan case conceded that the accused assassin of Sen. Robert F. Kennedy is sick, "but not so sick that he could not plan, coolly, carefully and for a long time to murder" the senator, a Los Angeles newspaper (Times) reported.

"Opening the summation of the prosecution's case against the 25-year old defendant, Dep. Dist. Atty. David N. Fitts told the jury of five women and seven men:

"The state will urge you to return a verdict of murder in the first degree."

"In an impressive four-hour summation delivered entirely without notes, Fitts waved aside psychiatric theory and marshaled an imposing chronology leading up to the June 5 shooting of Kennedy on the eve of his victory in California's Democratic presidential primary.

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"As he piled up the facts one by one, Fitts said they showed a consistent, developing premeditation to murder Kennedy."

At one point, reported the newspaper, Sirhan erupted with "He's lying, he's lying, he's lying," as Fitts said the defendant deliberately left his wallet in his car "to avoid identification" after the Ambassador Hotel shooting.

Defense counsel and security officers plopped Sirhan back into his chair, quieted him and then ushered him out. After cooling off in an adjacent room for 20 minutes, Sirhan came back to the court room and listened quietly but intently as Fitts continued the summation, the same newspaper related.

Another Los Angeles newspaper (Herald-Examiner) published highlights of Fitts' summation as follows:

"This trial commenced on Jan. 7. We have now passed the three-month anniversary. We have heard the testimony of some 90 witnesses. But I suggest to you that for the last three we have departed in some measure from the basic premise of this trial -- murder.

"Murder, and I'll read it, is the unlawful killing of a human being with malice aforethought.

"Malice may be either expressed or implied. It is expressed when the killing is done outright. It is implied when the killing results from an action involved with wanton disregard for human life.

"I suggest what we are dealing with in this case is expressed malice."

Fitts then related what took place on June 5 at the Ambassador Hotel.

Continued the summation by Fitts as related in the newspaper:

"Malice -- let's go back to that word. It is expressed when there is manifest intent unlawfully to kill a human being. We have an individual recognizing his target, rapidly approaching the target and firing eight shots.

"What could be clearer than that?

"What you will be concerned with is whether this individual could know that this was a wrong thing. Malice in this way implies the doing of something not socially acceptable, the doing of something wrong.

"You will be concerned with whether or not this defendant at that time was able to appreciate that firing bullets into the head of another individual is a thing not generally approved of in our community.

"Did he know if that was a good thing to do, or a bad thing to do? It is no more complicated than that.

"The state has asked and will continue to ask that you return a verdict of murder in the first degree.

"The theory of murder is that Sirhan Sirhan premeditated and deliberated upon his intent to act. That involves intent to kill. The intent to kill is something that the defense will, let us say, concede.

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"It is the issue of premeditation and deliberation that the defense is primarily concerned. Premeditation and deliberation, as distinguished between first-and second-degree murder, mean some kind of decision-making process about the act. It is the weighing of arguments pro and con, rather than acting on rash impulse.

"The law envisions the possibility that an individual may harbor malice aforethought, they (the law) know the thing he is doing is wrong but he acts so quickly without making the decision as to how he is going to act, so that there is no premeditation.

"The law does not prescribe to you to what extent an individual might weigh and premeditate before a calculated goal to kill is formed.

"The law says this will depend on the situation. and the individual -- that a cold, calculated decision to kill may be arrived at within minutes or seconds, depending on the circumstances and the individual.

"In this case, the people suggest to you that the cold and calculated decision to take the life of Robert F. Kennedy had been arrived at long in advance of Sirhan's arrival at the Ambassador Hotel.

"The facts in the opinion of the prosecution lead logically to the conclusion that this defendant did not act in a rash or impulsive manner at the time he fired the bullet into the brain of Robert F. Kennedy at the Ambassador Hotel.

"With respect to his state of mind, we are asked to accept when the defendant tells us he first intended to go to the Ambassador Hotel

because of the Rafferty party. Some time in the past, he and Kathleen Rafferty had been in school together. There is no suggestion that Kathleen Rafferty would have been glad to see Sirhan and one would suppose that some years had passed since they had been at school together.

"Mr. Sirhan is 25 years old. He isn't the only young protester. I view with alarm the protests of the last few years. They alarm me and I wonder what will happen a few years from now when these protesters take our places?

"Sirhan's view is shared by many. He is not the only one who is disillusioned. His illusions are shared by many. They are not disillusion -- illusions, perhaps.

"But he has an absolute right to have opinions not shared by the majority. It is all right to entertain ideas that this is not the best of all possible worlds.

"In any event, this is Mr. Sirhan. He felt rejected at the Rafferty party.

"He is something of a loner. He doesn't want to stay where he is not wanted.

"In the light of that, and if Sirhan hated Kennedy as has been made clear, and if he felt he wasn't wanted, why did he stay there?

"But stay he did.

"From the point of view of the assassination, it doesn't make any difference whether the senator was going to the Colonial Room first or the Ambassador Room first.

In one way or the other, he was going both places.

"I suggest it was no fortuitous circumstance that Sirhan waited in a place where at one time or another the senator would pass and become a target.

"All the logic points to this -- his hatred, the notebooks, his visiting the ranges, his rapid fire, his inquiry at the pantry, the loaded gun in his belt, the mini-mag ammunition, the conduct of the defendant, his statements after his arrest, the cute way he avoided identifying himself.

"Now with respect to the defendant's state of mind. His testimony is replete with what I consider to be lies, some of it demonstrable, some not.

"Anything in this case which would appear to indicate that this was premeditated or deliberated murder is denied by the defendant, regardless of who said it -- even by those who are trying to help him, who advanced his best interests in this case.

"We believe that the defendant is not divorced from the reality of his position as a defendant in a murder case.

"It has been suggested that this defendant exists in a delusional state.

"The defendant has always had the hope to get away with this. He knows some people don't like what he has done. This hope is alternated with despair. -

"It is conceded by both sides that Mr. Sirhan is not a well man. The question is how sick is he? The question is what does 'mature' mean? The question is what does 'meaningful' mean?

"'Mature' -- old enough to procreate, ripe for picking. Does it mean you must have the global view of the world of a great sage or philosopher? What exactly is 'mature'?

"What is 'meaningful'? How much is the individual required to read into his contemplated act before it becomes meaningful?

"No individual after mature and meaningful reflection would commit murder.

"Yet murder is commonplace in our society. What are we to do with individuals who commit this?

"We deal in a society that is still grappling with the solutions to the problem of crime, still grappling as best it might with what can be described as criminal responsibility.

"We admit Sirhan is less than the full man. How much less I don't know. He is the man you have seen in court, the man who testified on the witness stand eagerly...with flair, with intelligence somewhat unusual in criminal courts if you accept my word for it.

"The question is, that given the degree of mental illness or diminished capacity if you will that Sirhan has, he yet had the ability to harbor malice and maturely and meaningfully, whatever it means to you, premeditate and deliberate on what it means to take the life of a fellow human being. That is your job."

THURSDAY, APRIL 10 -- The three defense attorneys for Sirhan B. Sirhan, Grant B. Cooper, Russell E. Parsons and Emile Zola Berman, today offered their summations in the case calling for mercy tempered with justice for the young Arab.

According to a report in a Los Angeles newspaper (Times), Cooper told the jury:

"We are not here to free a guilty man. He is guilty of having killed Sen. Robert F. Kennedy. We are not asking for an acquittal.

"On the facts of this case -- whether Mr. Sirhan likes it or not -- Mr. Sirhan deserves to spend the rest of his life in a penitentiary."

Continued the newspaper:

"Cooper, in a detailed explanation of the various aspects of the law that Superior Judge Herbert V. Walker will give the jury to judge the facts by, said that on the basis of both evidence and law, the defense 'will ask you to return a verdict of murder in the second-degree.'

"Such a verdict, Cooper stressed, would still enable the jury to sentence Sirhan to life in prison. 'Because of the conduct that brought him to the bar of justice in this case,' Cooper said, " I wouldn't want Sirhan Sirhan turned loose on society.'"

Another Los Angeles newspaper (Herald-Examiner) published excerpts of remarks by the trio of lawyers and quoted Cooper, in part, as follows:

"I propose to discuss with you the law and to attempt to help you if I can with what the law is in this case and then to do my dead-level best to apply the law to this case. Not with the idea of turning Sirhan Sirhan loose...but to put it in proper...and intelligent perspective.

"Let me explain how your instructions will come...Both sides prepare their conception of what they think the law is. We submit them to his honor...his honor has the last word. He tells us what law he is going to give you so that when we argue the law to you we will state it truthfully.

"First, I think you should know what the presumption of innocence is. If after considering all the evidence you entertain reasonable doubt as to whether it should be first-degree or second-degree murder, I believe his honor will tell you that it is up to you under the law to give the defendant the benefit of reasonable doubt.

"If there is doubt in your mind as to whether it should be murder in the second degree or manslaughter, it would be your duty under the law to return a verdict of manslaughter, providing that you entertain reasonable doubt.

"A reasonable doubt is not mere possible doubt...It is...you the jury say that you cannot feel an abiding conviction to a moral certainty, a moral certainty is all that is required.

"You have been bombarded with the testimony of experts. An expert witness is a person who has special skill, knowledge or training...You

should consider their background of experience and education and the credibility of the education. You are not bound to accept the testimony of any expert.

"On the real, only issue you have before you as to whether or not the defendant had diminished capacity, the only way that can be established is by circumstantial evidence. That is the guts of the whole case, the whole sole issue in this case.

"You are not permitted to find the defendant guilty...unless the proved circumstances are not only consistent with that the defendant is guilty of the crime...but cannot be reconciled with any other rational conclusion. If the evidence is susceptible to a reasonable interpretation, one of which points to the defendant's guilt and the other which points to his innocence, it is your duty to reject that which points to guilty and accept that which shows his innocence.

"Let's take motive. Can there be any question in anyone's mind but that his motive was political?

"When we talk about crime, we talk about the elements of crime. Murder has the following elements: There must be the intent to kill. In first-degree murder, it must be willful, deliberate and premeditated and it must be the killing of a human being. Motive is not an element.

"Was it a mature motive; was it a meaningful motive?

"Let's take excerpts from things you have heard over and over again. To do away with the government and declare anarchy. Is that mature thinking? Is that meaningful thinking?

"In his pronuncimento, he wrote: 'I advocate the overthrow of the current President of the United States of America. I have no definite plans yet, but will soon compose some.' Is that mature thinking? Is that meaningful thinking?

"All murder which is wilful, premeditated and deliberate with malice aforethought is murder in the first degree.

"You may assume...and from my point of view it would be illogical to suggest that this wasn't a wilful, deliberate and premeditated murder.

"But what I want to point out you have wilful, deliberate and premeditated killing in manslaughter...That is the law.

"Deliberate means formed or arrived at...weighed or considered for and against the proper course of action.

"The word 'premeditation' means thought over before-hand.

"The law doesn't undertake to measure premeditation of deliberation...the true test is not the time elapsed but the extent of the mature and meaningful reflection. The cold, calculated decision may be arrived at in a short time.

"Remember...the elements: To form specific intent to kill; premeditate and deliberate; reflect upon the gravity of the contemplated act.

"If you find that the defendant's mental capacity was diminished to the extent that you have a reasonable doubt whether he did meaningfully, wilfully premeditate and deliberate...you cannot find him guilty of murder

in the first degree. The instruction goes on with respect to harboring malice.

"The next thing is malice aforethought. If there is malice aforethought, it is not manslaughter. It has got to be a decision between the two degrees of murder.

"One other instruction that we discussed at length when we examined you...that is the individual opinion of each juror. The people and the defendant are entitled to the individual opinion of each juror. Each one of you is supreme in determining the facts. Your powers are equal even above his honor, in a jury trial. You are the judge of the facts.

"The reason we have 12 jurors is so that we have 12 individual opinions. You must agree before the verdict can be reached.

"You have told us, you will recall...that you would not compromise just for the purpose of arriving at a verdict...just so you can get home earlier."

The same newspaper also published excerpts of comments made by Parsons, including remarks on the defendant's life and his family.

Some excerpts follow:

"If I may go back to Mrs. Sirhan and her son, she did the best she could with this boy.

"He was hurt out here at the race track. He loved horses. The frustrations mounted up until this fellow didn't know what he was doing.

"Here we are with a perfect example of a man who is sick. In this field they hardly refer to persons as being 'insane' anymore. If you ever had a perfect case, you had it here. Here's a man who wants to stand up and fire the lawyers who are trying to help him.

"You have seen him. One moment he appears to be smart as a whip. The next he can't tell right from wrong.

"I would like this verdict to spell out in every hamlet, in every Arab desert and all over Europe, that a man can get justice in America.' That is neither life imprisonment nor the death penalty, because this case doesn't warrant it. Not for this poor, sick wretch, no matter what he did.

"Let us make sure that throughout the world, that in every hamlet, the people know that in America you can get justice, whether it is in Mississippi or in Los Angeles.

"It is going to take a little courage to return a proper verdict in this case, a little courage to see that justice is done. But it can and must be done.

"It will go down in history."

The same newspaper also contained these excerpts from the summation by Berman:

"I want to talk to you specifically about a thing called trauma, Trauma is a blow or an insult -- trauma to one's personality, a blow to what makes a person become what he is.

"I'm going to talk to you about the traumatic events upon Sirhan's personality. From a young boy to the 24-year old man -- what it was, step by step, that put him in the posture which created the tragedy that blighted our nation."

He then cited Sirhan's relations with his father and mother, the death of his sister, his flunking out of college, his accident at a horse ranch.

Concerning events at the Ambassador Hotel, Berman said, according to the newspaper:

"There were bars...and mirrors in the Venetian Room. That is pretty much of the nitty-gritty in this. There were mirrors everywhere he turned. Mirrors in his home, mirrors in the hotel.

"It was by mirrors that he induced self-hypnosis or -- what is that term the doctors use -- a dissociative state.

"We have no way of knowing over how long all of his drinking took place, but we do know that Sirhan began to feel his drinking and decided it was time for him to go home.

"He went to the car three blocks away and suddenly found he was too drunk to drive.

"He saw his gun in the back seat and picked it up. He returned to the Ambassador to get some coffee.

"All through the theme of the prosecution case is premeditation and planning. We have checked this every way we can.

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"One thing is that Sirhan was alone. There was no conspiracy here, no helpers here, nobody backing him up, no reward for money. This was his act alone.

"You must remember that when Sen. Kennedy was making his speech to his followers in the Embassy Room...he was to go to a large overflow crowd in the Ambassador ballroom on the floor below, and the route to be taken would never have taken the senator and his entourage through the pantry.

"At the last moment, somebody changed his mind. There could not be any possible knowledgeable waiting for the senator, where Sirhan could take a position where he would have a pot-shot at him.

"I take this up because it has to do with the inference that Sirhan was lying in wait...waiting for a crack at Kennedy. This does not and cannot fit the facts in this case.

"This freakishness changes the whole history of our country and possibly of the world."

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FRIDAY, APRIL 11 -- If the prosecution in the Sirhan case "get what they want" -- a verdict of first degree -- "the only remaining question will be one of penalty -- death or life imprisonment," according to Ron Einstoss, staff writer, in a Los Angeles newspaper (Times).

Continued the article:

"That decision would be made by the same jury in a separate penalty trial.

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"Both the prosecution and the defense at that time will have an opportunity to submit additional evidence and offer arguments.

"The prosecution's presentation would focus on any matters which tend to aggravate the crime.

"The defense, on the other hand, would seek to get before the jury anything which might mitigate -- or favor -- Sirhan's position.

"A major factor during the penalty proceedings may be the proposed arrangement early in the trial which would have permitted Sirhan to plead guilty to first-degree murder with life in prison.

"If Sirhan is convicted of murder in the first-degree, that might be the best weapon the defense has to save Sirhan's life.

"Because of this, defense attorneys Grant B. Cooper, Emile Zola Berman and Russell E. Parsons most likely will attempt to bring the matter to the attention of the jury, possibly by someone from the district attorney's office -- perhaps even Dist. Atty. Evelle J. Younger -- to testify about the plea bargaining.

"This could present an awkward situation to the prosecution and it already has led to reports that Chief Dep. Dist. Atty. Lynn D. Compton and Dep. Dist. Attys. John E. Howard and David N. Fitts will not 'demand' the death penalty.

"But the death penalty is seldom demanded anyway. Usually, in proper cases, juries are 'urged' to bring in such a verdict.

"The prosecution, however, may even find it difficult to go that far because it once was willing to settle for life.

"When Superior Judge Herbert V. Walker rejected the plea agreement, it opened the way for the jury to hear all the evidence in the case.

"And that jury may now decide without any urging from the prosecution, at least in so many words, that the only penalty for the heinous crime of assassinating a possible President of the United States is death.

"If the jury votes the death penalty, it could be reduced to life in prison by Judge Walker. But a verdict of life imprisonment is binding on the court."

"All sentences of death are automatically reviewed by the State Supreme Court."

FRIDAY, APRIL 11 -- In court today, Chief Dep. Dist. Atty. Lynn D. Compton began the prosecution's final summation, and will continue on Monday.

He termed the case "highly overcomplicated" by psychiatric expertise and jolted the jury, composed of seven men and five women, when he raised this question, according to a story in a Los Angeles newspaper (Times):

"Did Robert F. Kennedy, a young, highly successful man at the peak of his career -- a former U.S. attorney general, a senator from New York and a candidate for the presidency of this country -- did he breathe his last breath on the dirty floor of the Ambassador Hotel, there with the mops and the dirty dishes, did he leave a widow with 11 children, because he favored U.S. support of the State of Israel or because he was a substitute father image in some Oedipus complex in Sirhan's mind?"

The newspaper related that the "defense has offered both theories as partial explanation of the Palestinian Arab's motive in killing Kennedy last June 5..."

Continued the newspaper:

"Compton, his voice disdainful as he waved toward a blackboard bearing the names of 10 'so-called experts' -- psychologists and psychiatrists called to testify for both sides -- said he had thought of erasing their names as he rose to speak, but then changed his mind.

"'I hope,' he added, ' that I can erase them all from your consideration.'

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"Compton said the psychiatric testimony had been so confusing and conflicting that 'I can be frank to admit right now as I stand here that I can't answer the question of what Sirhan's real motive was.'

"Referring to Dr. Bernard L. Diamond's testimony that Sirhan was in a dissociative state induced by the combination of intoxication, rage and a self-induced hypnotic trance from staring into hotel mirrors, Compton said, with thinly veiled contempt:

"'If you believe Dr. Diamond with his mirror act and believe Sirhan was in some kind of trance, so that he didn't know if he was on foot or horseback, then it would be inhuman to punish him for anything at all.'

"'But if you don't buy it -- like I don't buy it, and like (deputy district attorneys) John Howard and David Fitts don't buy it -- then there's nothing left but plain, old cold-blooded first-degree murder.'

"Compton implied that the precise definition of 'mature and meaningful' premeditation that has been so much a part of the defense case is not a legitimate concern to the jurors because, he said, his office deals with about 35,000 felons each year, and in the premeditation behind all the 35,000 crimes, 'none of it reflects mature and meaningful judgment.'"

Compton's remarks were made after a four-hour summation by Grant B. Cooper, defense attorney, who urged the jury to find Sirhan guilty of second-degree murder and sentence him to life imprisonment.

Continued the newspaper:

"As he had on Thursday, Cooper stressed that the defense did not feel Sirhan 'should be given a medal for what he did' -- or, indeed, that

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he should 'ever be turned loose on society.'

"But, Cooper argued, the facts in the case and the applicable law make a first degree verdict inappropriate.

"Cooper said the defense also would not ask the jury to return a manslaughter verdict -- even though, he contended, the evidence could warrant it -- because he felt that such a request would simply not be discreet in this case.

"Cooper said the jury could accept the facts as stated by the prosecution, ignore the claims of hypnotic or dissociative trances, and accept the evidence of 'premeditation that goes back to at least May 18' -- three weeks before the killing -- and still would have to consider whether Sirhan's plans were mature or meaningful.

"Concluding his lengthy summation, Cooper told the jury, 'I'm the last one to speak on behalf of this defendant. When I sit down no voice will be raised again in his defense...We pass from our shoulders to yours the responsibility and the proper fate of Sirhan Sirhan.'"

Late this evening, according to another Los Angeles newspaper (Herald-Examiner), the "trial went into extraordinary session...in order to excuse" a juror whose father had died.

Ronald G. Evans was excused by Judge Herbert V. Walker "and the special trial session was held in an armor-enclosed auxiliary courtroom in the jail facility atop the Hall of Justice. Sirhan was present and no stranger to the room where the preliminaries to his soon-to-end murder trial took place.

"Evans, a telephone company switchboard installer, was not immediately replaced. Judge Walker said that a successor to the juror would be chosen when court convenes Monday morning.

"California law requires that a successor to a trial juror be chosen by the spin of the wheel.

"Evans was the second casualty in the Sirhan jury. The first was IBM computer programmer Lawrence K. Morgan, who was dismissed when he suffered a bleeding ulcer and had to be hospitalized."

Meanwhile, a young woman who killed herself early this week was identified today as a go-go dancer who figured briefly in the Kennedy assassination, police said.

She was Kathy Fulmer, 23, found semi-conscious Monday in a motel. She died of an overdose of Seconal a half-hour later.

Said a Los Angeles newspaper (Times):

"Miss Fulmer came forward when investigators were seeking a girl who wore a polka dot dress in the Ambassador the night the senator was shot. She wore a polka dot scarf and had been at the hotel.

"But, as the investigation developed, neither Miss Fulmer nor any of several young women wearing polka dot garments at the assassination scene had any bearing on the case.

MEMORANDUM

TO: MEMBERS OF THE PRESS, RADIO AND TV

FROM: JERRY LITTMAN, News Secretary for the
Los Angeles County District Attorney's Office

SUBJECT: WEEKLY SUMMARY RE: KENNEDY ASSASSINATION

DATE: APRIL 18, 1969

As the Sirhan trial nears its conclusion, this is to inform you that the weekly summaries will soon be discontinued.

As you know, this office has prepared the summaries since early June, and we are now interested in how the media made use of the information.

Would you be kind enough to make some comments in the blank space below, indicating what use you have made of these summaries? Please mail your comments to: Jerry Littman, News Secretary, District Attorney, Room 620, Hall of Justice, Los Angeles, California 90012.

Thank you.

Your Name _____

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 23, 1969
After 10 a.m.

WEEKLY SUMMARY #46

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 46th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 14 -- Fifteen weeks to the day after the murder trial of Sirhan B. Sirhan began, the case went to the jury, after Superior Judge Herbert V. Walker gave one hour of instruction in the law.

The jurist told the seven-man, five woman jury they have four possible verdicts:

Guilty of first-degree murder, guilty of second-degree murder, guilty of voluntary manslaughter or acquittal.

Jurors elected a foreman, then deliberated in a Hall of Justice room for about an hour, and returned to their hotel. They will deliberate from about 8 a.m. to 4 p.m. daily, "adhering to the shortened court day Judge Walker has been observing because of the need for heavy security whenever the courtroom is open," reported a Los Angeles newspaper (Times).

Continued the newspaper:

"The trial reached its end Monday morning with Chief Dep. Dist. Atty. Lynn D. Compton urging the jury to scrap all psychiatric

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testimony -- 'throw 'em all out in one big bag' -- and decide Sirhan's fate with 'plain common sense and good logic.'

"Compton told the jury it was Charles Dickens who once wrote, 'The law is an ass.' Compton added, 'I think the law became an ass the day it let the psychiatrists get their hands on the law.'

"He scoffed at defense contentions that Sirhan was a paranoid schizophrenic who suffered dissociative trances. Sirhan, said Compton, was simply 'cunning and vicious.'

"Sirhan, who chewed persistently on a hangnail and listened quietly as Compton spoke, fared better in Compton's summation than did the psychiatric profession.

"Compton ridiculed point after point, doctor after doctor, and the lengthy expert testimony which painted Sirhan as too sick mentally to meaningfully premeditate the killing.

"Referring disdainfully to two batteries of psychological tests given to Sirhan, Compton said:

"'I say reject the tests, put 'em out, because it would be a frightening thing if the decision in a case of this magnitude turned on whether Sirhan saw a couple of clowns playing pattycake in an inkblot, or kicking each other in the shins.'

"If expert testimony could always be believed, Compton told the jury, then cases could be judged without juries at all.

"Compton told the jurors he regarded them all as 'average people' and urged them not to overcomplicate their decision because of the formality of the 3½ month-long trial.

"Compton said he, like the defense, wants 'the world to know that justice is possible in this country,' and added: 'The verdict you return -- which we urge should be first-degree murder -- will be just as just as any other verdict.'

"Such a verdict carries only two possible penalties -- death in the gas chamber or life imprisonment. Compton didn't specify a preference for either.

"Compton said the only issue for the jurors to decide was whether Sirhan's defense of diminished capacity to maturely and meaningfully premeditate and carry out his act is a valid one.

"Judge Walker opened the morning session by instructing the jury to disregard Compton's previous statements about diminished capacity on Friday.

"Judge Walker told the jurors that it is 'a doctrine that is being developed' and applies to crimes where specific intent to murder is proven. Compton had referred to diminished capacity in connection with crimes that Judge Walker said were unrelated to this.

"Compton said Sirhan himself, in 'fencing' on the stand with his cross-examiners, provided the clearest evidence that he didn't suffer from diminished mental capacity, but rather showed unusual alertness.

"Citing psychiatric testimony that Sirhan's mental illness was one that was causing rapid deterioration from its beginnings until now, Compton virtually snorted:

"'If he was a vegetable on June 5, he should have been a gibbering idiot by the time you saw him on the witness stand.'

"But he was no such thing," Compton said.

"Compton said psychiatrists and psychologists 'don't belong here in the courtroom on the issue of guilt or innocence' and added, 'They can't tell you from showing Sirhan a lot of pictures and inkblots in November, or whenever it was, the kind of mind he had on June 5.

"He likened the psychiatric defense to 'sort of a double-play combination -- Sirhan to Schorr to Diamond' and said this combination 'always throws to first base.

"He dismissed (clinical psychologist Martin M.) Schorr perfunctorily, saying 'He gets all hung up on family relationships and father images.' He reserved special contempt for the performance of (UC Berkeley psychiatrist Dr. Bernard) Diamond.

"Compton said a prosecution psychiatrist based his opinions on the testimony of witnesses, but 'the ubiquitous Dr. Diamond, the walking lie-detector, the handwriting expert, the gun expert, the psychologist and psychiatrist,' implied that all other witnesses either knew nothing or were lying 'until (he) Dr. Diamond, descended on the scene.

"'He did it with mirrors,' Compton said of Diamond's testimony that Sirhan had experimented with self-hypnosis with mirrors and inadver-

tently put himself into a trance before mirrors at the Ambassador Hotel last June 4, just before he shot Kennedy.

"'I think Dr. Diamond is completely and thoroughly discredited and deserving of no consideration at all,' Compton said. Then he added, speaking of the entire psychiatric profession:

"'Their whole reason even for being is to find something wrong with someone. And what better way to foist their theories off on the world than in the courtroom?'

'Compton said the jury should not be swayed by the fact that it was Kennedy who was shot to death, but added, 'On the other hand, you cannot divorce your thinking from the fact that it was Robert F. Kennedy who was murdered because that was why the crime occurred.' An ordinary citizen, Compton said, would not have incurred Sirhan's hatred.

"Compton concluded:

"'The psychiatrists say that if you hate a man and kill him, you are mature and responsible, Ladies and gentlemen, we ask you: Don't put a premium on hate.'"

Juror Robert G. Evans was replaced today because of the death of his father. The replacement was George A. Stitzel, a pressroom foreman for the Times.

* * *

TUESDAY, APRIL 15 -- The seven-man, five-woman Sirhan jury began the second day of their deliberations today at 8:17 a.m. and worked

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on the case until shortly before 4 p.m., when they were bused back to their heavily-guarded quarters in a Los Angeles hotel (Biltmore).

Reported a Los Angeles newspaper (Herald-Examiner):

"The jurors have the exhibits in the case with them in their ninth-floor Hall of Justice jury room. So far they have not requested the reading of any of the more than 10,000 pages of the trial record.

"Their only request, according to Bailiff William Polhemus, was for a piece of chalk and a light bulb.

"Polhemus said the jury was surprising to him in its accord. He explained that often during the heat of deliberations jurors have fallings out which result in the formation of intra-jury cliques.

"Jury deliberations are, of course, secret. So far the only thing known of the conduct of the 12 is that they elected systems analyst Dr. Bruce Elliott foreman."

Meanwhile, another Los Angeles newspaper (Times) published details of a system "set up so the jury can communicate with the courtroom. Three sounds of the buzzer from the ninth-floor jury room to the eighth floor courtroom will signify the end of deliberations. Two buzzes would indicate that the jury wished to be brought into the courtroom to have portions of testimony read."

Continued the newspaper:

"The Sheriff's Department is maintaining the tight security procedures that have been followed throughout the 15-week trial. All persons entering the courtroom are still subjected to a thorough search, since all future open sessions involving the jury, however, brief, will also require the presence of the defendant."

The Herald-Examiner said that Sirhan is awaiting "the verdict in his isolated cell on the 13th floor of the Hall of Justice. He has with him a Bible and four books on Arab politics, his attorney, Russell E. Parsons, said."



WEDNESDAY, APRIL 16 -- At the request of the jury in the Sirhan case, Superior Judge Herbert V. Walker today clarified his instructions on second-degree murder.

According to a Los Angeles newspaper (Times), this is what the jurist told the jury assembled in the courtroom:

"If you find from the evidence that, at the time the defendant shot and killed Sen. Robert F. Kennedy, his mental capacity had been substantially reduced, whether caused by mental illness and imbibing of intoxicating beverages, or any other cause, and if you find that to the extent that you have a reasonable doubt whether he did or could 'aturely and meaningfully premeditate, deliberate and reflect upon the gravity of his contemplated act or form an intent to kill, you cannot convict him of a wilful, deliberate or premeditated murder of the first degree, but you may find him guilty of murder in the second degree if you are convinced beyond a reasonable doubt that he had the mental capacity to harbor or entertain malice aforethought."

The newspaper reported that the jury listened for about five minutes, nodded that they understood and resumed deliberations until about 4 p.m.

Continued the newspaper:

"The jury's question (regarding second-degree) and its lengthening debate underscored speculation that the panel is undecided whether the killing of Kennedy was first- or second-degree murder.

"Speculation also arose that speculation itself was premature.

"More than 150 exhibits were entered during the 15-week trial, and jurors wishing to appear fair-minded might feel obliged to examine them all, even if they had arrived at a private decision.

"Sirhan's controversial notebook alone would require two hours for each of the 12 jurors to read.

"Verdicts of acquittal or voluntary manslaughter -- both possible, under the instructions given the jury by Judge Walker Monday -- are considered highly unlikely.

"If Sirhan is convicted of first-degree murder, his trial would proceed the next day to a penalty phase, in which he could receive either a death sentence or life imprisonment.

"This phase would be short -- possibly just a few hours, almost surely not more than a day or two.

"After three weeks of psychiatric testimony, attorneys for both sides feel there is little left that could be offered by way of mitigation for Sirhan's crime, and that the jury's decision will depend chiefly on attorneys' final arguments.

"Further, the prosecution has already said it will not urge the death penalty.

"If Sirhan is convicted of second-degree murder, the court will sentence him to five years to life in prison, with the exact term

to be set later by the California Adult Authority.

"Should the jurors find themselves unable to agree on a verdict, a hung jury probably would not result in a retrial of the case. It is considered most likely that Judge Walker would take the case from the jury and, depending on agreement by the defense and prosecution, accept a guilty plea from the defense and simply sentence Sirhan to life imprisonment."

• THURSDAY, APRIL 17 -- A Los Angeles newspaper (Herald-Examiner) reported today, quoting Russell E. Parsons, one of Sirhan's attorneys, that the defendant "expected to be traded by this government for concessions in the Middle East if he is convicted."

Continued the article:

"Parsons said Issa Nakhleh, Palestinian Arab associate counsel in the case, had discussed such a maneuver with King Hussein of Jordan at the United Nations last week. Nakhleh is director general of the unrecognized Palestine Arab delegation to the UN.

"Parsons said:

"He met King Hussein last week at the United Nations. Nakhleh was there to discuss the exchange with him. We worked it out. He hasn't been here for fun you know. He has been here to help us. We have been working it out with Nakhleh. I was going to Jordan first, but then we decided against it."

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"However, there was no confirmation from any official source that such a course was being considered.

"Reached in New York, Nakhleh had this to say:

"'There can be no discussion of an exchange...until after the verdict. Talk to me after the verdict.'

"It was pointed out at the Hall of Justice that the legal complications of such an exchange would be enormous. The United States has no jurisdiction over Sirhan. He is a prisoner of California -- a sovereign state. Moreover, it is expected that public reaction to such barter would be swift and extremely adverse.

"Furthermore, insofar as is known, there are no important American prisoners held by any Arab state."

THURSDAY, APRIL 17 -- Sirhan Bishara Sirhan was convicted by a seven-man, five-woman jury today of first-degree murder in the killing of Sen. Robert F. Kennedy last June 5.

The jury signalled its arrival at a verdict at 10:47 a.m., 16 hours and 42 minutes after it began deliberations on Monday.

One Los Angeles newspaper. (Herald-Examiner) reported the status of the case as it stands today as follows:

, "The jury must decide the penalty for the young Arab's crime, with 'untrammelled discretion' as to a life or death sentence.

"No matter what it decides, Judge (Herbert V.) Walker has the authority to reduce, but not increase the penalty. He could not void any death sentence.

"It will be up to Judge Walker to fix penalties for Sirhan's conviction on the lesser counts of assault with a deadly weapon with intent to commit murder. California law demands that sentences for these crimes not be added to the murder penalty; if Sirhan gets life he will serve concurrent sentences on the assault counts.

"No matter what the penalty verdict, there probably will be an appeal. Such an appeal is mandatory if death is decreed, and will take more than a year to pursue.

"The defense is convinced that Judge Walker committed 'more than one' major judicial error during the trial, which it hopes to take to a higher court.

"Appeals may see changes in the defense staff. Defense lawyer Russell E. Parsons is an appeals specialist.. But defense lawyer Grant B. Cooper, who said he has worked without fee throughout the trial, is not sure he can afford to continue in the case.

"No matter what the final decision in the Sirhan case -- no final penalty will be inflicted for more than a year, according to Cooper."

Reported another Los Angeles newspaper (Times):

"The tiny Palesinian Arab defendant showed no visible reaction as the verdict was read. He sat forward in his chair, elbows on the counsel table, and stared soberly ahead as he heard the verdict.

"For wounding five other persons in the fusilade of shots that killed Kennedy last June, Sirhan was found guilty on five counts of assault with a deadly weapon with intent to commit murder. Each conviction carries a sentence of one to 14 years."

The jury entered the courtroom at 11:09 a.m. and Judge Walker asked, "Ladies and gentlemen of the jury, you have a verdict?"

Continued the newspaper:

"We have, your honor," the foreman murmured.

"Foreman Bruce D. Elliott handed the verdicts to Bailiff Willard Polhemus, who passed them to Judge Walker, "who scanned the six verdicts and passed them to Alice Nishikawa, who read them aloud."

Members of Sirhan's family were not present for the verdict, although they were in court every day of the 15-week trial. A brother, Adel, 30, told the Times: "I don't think we should show up down there now, do you?"

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Added the newspaper:

"After the verdict, Adel, his mother, Mary, and brother, Munir, wept as they heard the verdict over their television set in their small Pasadena home.

"After Mrs. Nishikawa finished reading each verdict, she asked the jurors: 'Is this your verdict, ladies and gentlemen of the jury? So say you one, so say you all?

"Murmured assent was unanimous for all six verdicts.

"Defense attorney Cooper requested that the jury be polled on the first count -- the murder conviction -- and as each juror's name was called, the answer was a firm, 'Yes.'

"Judge Walker then recessed the trial until Monday for the penalty phase...

"Cooper, who spoke with Sirhan in a small holding tank moments after adjournment, said 'his reaction was one of disappointment.' Cooper would not repeat what Sirhan said, but added that disappointment was evident 'by the expression on his face.'

"Cooper, asked his own reaction, told reporters in a news conference later, 'Naturally, one is disappointed.' But he added:

"'I'm not going to quarrel with this jury. They had the case fully and fairly presented to them and I'm not going to quarrel, even though I might disagree with their verdict.'

"Cooper disclosed that he had already made a motion to impanel a new jury for the penalty phase, but that Judge Walker in a brief conference at the bench, had denied it.

"Asked what testimony he would present in the penalty phase to show Sirhan's life should be spared, Cooper said he didn't want to telegraph his punches. But earlier he indicated he would attempt to call Dist. Atty. L. J. Younger, Chief Dep. Dist. Atty. Lynn D. Compton and Dep. Dist. Attys. John E. Howard and David N. Fitts to the witness stand to confirm that the prosecution once was willing to accept a plea of guilty with the understanding that Sirhan get life imprisonment.

"Cooper later asked Judge Walker, in a brief proceeding Thursday afternoon, to be allowed to call the prosecution to the stand. The judge denied the motion.

"The jury has never heard of the agreement. If Judge Walker had permitted Cooper to introduce it, some sources felt it would have been a strong factor in swaying the jury toward a life sentence.

"Howard, who will argue for the prosecution in the penalty phase, said he intends to gear his argument to Sirhan's 'lack of remorse and to the effect of political assassination on the democratic process.'

"Sirhan testified from the witness stand that he hated Kennedy because, in his campaign for the Democratic nomination for the U.S. Presidency, he had advocated sending 50 Phantom jet bombers to aid Israel in its conflict with Arab nations.

"Sirhan also testified, 'I'm not particularly proud, but I'm not sorry either,' about the death of Kennedy.

"Asked about the earlier agreement to accept Sirhan's plea of guilty, Compton acknowledged that the bargain struck last February 'imposes

on us the obligation not to assert that the death penalty is an absolute must.'

"Both defense and prosecution have said that the penalty phase will probably be brief -- possibly only a few hours, or a day or two at the most."

The newspaper also related that "irritation at the ensuing length and expense of the trial has been widespread" and that County Supervisor Kenneth Hahn says it has now cost taxpayers more than \$1 million, although that figure is disputed.

"The general public, too, has expressed anger at the slow, deliberate trying of a defendant whose slaying of Kennedy is beyond question, even admitted."

The same newspaper pointed out that Judge Walker didn't want "unresolved mysteries" similar to what occurred after the assassination of President John F. Kennedy, and he, therefore, "ordered all the facts laid before the public in a long-fought trial."

Added the newspaper:

"The defense has revolved on the contention that Sirhan is both guilty and sick. This is the defense of diminished capacity -- a legal doctrine available to the defense only in California.

"It is a doctrine that is still being resolved since its first application in 1949. In brief, it holds that a person may be found guilty of first-degree murder and yet be unable because of mental illness, rage, fear, obsession or intoxication, to maturely, and meaningfully premeditate, deliberate and hold malice aforethought.

"Whether Sirhan's case fit anywhere onto this still indeterminate scale of responsibility was a subtle matter of degree for 12 jurors to calculate and agree upon unanimously."

The newspaper also claimed that "four other persons" besides the family "suffered in varying degrees...These were two psychologists and two psychiatrists who absorbed a good deal of hard cross-examination."

As for Sirhan's fate, the Times noted:

"Whatever penalty the jury decides for Sirhan Bishara Sirhan it could be months or even years before his future is really certain.

"If they (the jury) decree death, Superior Judge Walker could, on his own authority, commute the sentence to life imprisonment.

"Barring that, appeal of a death sentence is automatic anyway, under California law.

"Defense attorney Cooper estimated Thursday, after the verdict of first-degree murder in the death of Robert F. Kennedy, that it would be at least one year before Sirhan's appeal -- if there is one -- would be resolved.

"He said he planned to file a notice of appeal on the verdict, but indicated he did not know whether he would press an appeal immediately.

"'Partly,' he added, 'it depends on whether someone comes up with some money to conduct a defense.' Cooper has defended Sirhan thus far without fee."

Concerning formal sentencing by the judge, the newspaper indicated this is "expected to be held about three weeks after the jury

returns a verdict in the penalty phase."

Following the verdict, a press conference was held and Compton related, according to the Times, that "the circumstances of the murder and the conduct of Sirhan B. Sirhan were the major contributing factors in his conviction."

Flanked by his two fellow prosecutors, Compton termed the jury's decision "appropriate" and said it "expressed the will of the community."

Continued the newspaper's account:

"Asked the penalty the prosecution will seek at that phase of the trial, Compton said:

"'I don't think it appropriate for me to express what we think would be the appropriate penalty.'

"He explained that 'this is a unique case without precedent' and that it should be left to a jury to decide what should be the 'appropriate penalty.'

"...he made it plain that Howard, who will deliver the prosecution's argument to the jury, will emphasize those facts which point to one punishment -- presumably the death penalty.

"Howard, who has been assigned to the case since moments after the shooting, and who has lost 35 pounds since the trial began in January, said the thrust of his summation will be that the killing of Sen. Robert F. Kennedy was a 'political assassination' and that the jury must decide what should be the proper punishment for such an act.

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"He hinted that he will hammer home to the jury what he described as Sirhan's lack of remorse.

"He intends to remind the panel that while the electorate went to the polls last June 5, Sirhan went to a pistol range. To be fair, Howard said, he will say all he can in Sirhan's favor, but, he added, 'that will be very little.'

"Fitts, who carried the brunt of the prosecution's presentation in court, remained silent during the press conference, but he said later that he was 'relieved' when he heard the verdict.

"Compton who had asked the jury to disregard the trial testimony of psychiatrists, said he did not think the verdict necessarily was a repudiation of such testimony in general.

"Rather, he said, in this case the jury 'did not accept the diagnosis of the psychiatrists.'

"Compton commended both Fitts and Howard saying 'this whole community owes a debt of gratitude to them for the work they performed on this case.'

"He also complimented the three defense attorneys, for their behavior during the trial.

"Compton, Howard and Fitts have all been through death penalty trials before, Compton having obtained seven death verdicts, Fitts four and Howard, who has spent much of his career as a prosecutor handling major fraud cases, one.

"However, with all their experience, there has never been a Sirhan case -- a political assassination which in itself, as Howard said, affects 'our democratic processes.'"

Meanwhile, Cooper expressed disappointment at the verdict, and Parsons said, "I feel very bad about it. We have a sick man and the psychiatric evidence was overwhelming."

The third defense attorney, Duile Zola Berman, said in New York: "I just regret that the sciences of psychology and psychiatry are held in such low esteem."

Reported the Times:

"Asked if Sirhan fully realized the import of the outcome, Cooper answered: 'Of course.'"

"When asked if there had been judicial errors during the lengthy proceedings, he (Cooper) replied that he felt so."

"Cooper mentioned a matter that will come before the Court of Appeals on Friday, "that of Lincoln High School teacher Sal Castro and 12 other defendants, accused of felony conspiracy for their roles in student walkouts last year."

"If the court upholds the defense position that the Grand Jury was improperly constituted -- favoring certain segments of the population -- then the Sirhan case would have to be retried, Cooper said."

(Sirhan was indicted by the 23-member Los Angeles County Grand Jury several days after the shooting).

"In response to a question, the attorney said Sirhan has not indicated that he wants any change of lawyers."

"Cooper said he had no regrets about the course pursued by the defense.

"I don't know of any other way we could have tried it,' he stated. 'We did the best we could and we lost. That's all.' "

Meanwhile, a Los Angeles newspaper (Herald-Examiner) published a United Press International story from Jerusalem quoting Sirhan's father that he (the father) "was even more adamant than ever that his son had 'committed an act of political courage and even of necessity' in the shooting."

Continued the UPI story:

"Something had to be done 'to bring to the attention of the United States people the wrongness of America's support of Israel,' Sirhan told newsmen.

"Many of the Arab residents of Taibeh and through the occupied West Bank area agreed with Sirhan. The Arabs view the young Jordanian as a hero and a martyr for the Arabs and Palestinian cause.

"Veteran political observers in Beirut said the conviction of Sirhan was expected to provoke a wave of popular protest in the Arab world.

"Although the long trial got little more than routine attention in the Arab press, interest in his case has been sparked recently by the appearance in Arab capitals of posters hailing Sirhan as a hero of Palestine.

"The well-printed posters in black and red are issued by the Palestine Liberation Organization and show a drawing of Sirhan with the words, 'I did it for my country.' "

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., April 30,
1969 After 10 a.m.

WEEKLY SUMMARY #47

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 47th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 21 -- Jurors in the Sirhan B. Sirhan case deliberated for two hours and 25 minutes today, without reaching a decision on whether the accused assassin of Sen. Robert F. Kennedy should face death in the gas chamber or life imprisonment.

Arguments and legal advice concluded at 11:49 a.m. today, after the jurors heard from Dep. Dist. Atty. John E. Howard, defense lawyers Grant B. Cooper and Russell B. Parsons and the defendant's mother, Mrs. Mary Sirhan.

Howard, citing 10 months of special precaution to insure a fair trial for Sirhan, told the jury that now that he has been convicted of first-degree murder, "he has no special claim to further preservation."

Reported a Los Angeles newspaper (Times):

"Without asking for a death verdict in so many words, Howard made it clear that was what the prosecution sought as he urged the jury

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'that each of you in your hearts have the courage of your convictions, the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America.'

"Howard, in a brief argument, told the jury:

"Mitigation of political assassination to any degree sooner or later spell an end to the traditional democratic election process we now enjoy.'

"Howard conceded that Sirhan is mentally ill and said, 'We have never disputed that Sirhan Bishara Sirhan is abnormal -- only the extent of his abnormality, and its legal significance, if any.'

"But, said Howard:

"You should be reminded that Sirhan Bishara Sirhan reached this shore at the indulgence of a nation which takes pride in providing refuge to the oppressed. There may well be a substantial number in this courtroom who need look no farther back than one generation to find themselves strangers in a new society which offered greater opportunity for the individual to achieve success within the limits of his capacities. For this defendant, that was not enough.

"History may well record that but for this defendant, Sen. Kennedy might have succeeded to the highest honor and responsibility which the American democratic process can bestow.

"Beyond doubt, the tragedy which occurred in the early morning hours of June 5, 1968, at the Ambassador Hotel was politically motivated. The question now to be resolved is the proper penalty for political assassination in the United States.'

"Howard reminded the jurors they had been asked to consider what 200 such assassinations might do to the country, then added: 'A half-dozen would suffice to leave this country bereft of democratically endorsed leadership.'

"Sirhan has shown no remorse, Howard said, adding, 'Perhaps you observed his reaction when Attorney Russell Parsons, in his address to you, urged in all sincerity that Americans pray for the ill-starred Kennedy family.' (Sirhan smiled and covered his mouth). You could not have failed to observe the defendant's smile when he declared from the witness stand, 'I don't know who shot Kennedy.'"

The same newspaper (Times) reported as follows on remarks made by Cooper, Parsons and Mrs. Sirhan:

"Defense attorney Grant B. Cooper urged the jury, 'as a kind of posthumous tribute to Sen. Kennedy,' to spare Sirhan's life.

"In a quiet, final plea for mercy for Kennedy's murderer, Cooper read from Kennedy's own statement of April 5 -- one day after (Martin Luther) King's death, and exactly two months before he himself was fatally shot.

"Cooper told the jury that Kennedy told a crowd in Cleveland:

"'Whenever any American's life is taken by another American unnecessarily -- whether it is done in the name of the law or in the defiance of law, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence...the whole nation is degraded...'

"'...We must recognize that this short life can neither be enobled nor enriched by hatred or revenge. Our lives on this planet are too short and the work to be done too great to let this spirit flourish any longer in our land...'

"Cooper said that he believed that if Kennedy himself had been in the courtroom Monday, he would have asked the jury to spare Sirhan's life.

"In a dramatic closing moment, Cooper turned to face the tiny Palestinian Arab, who sat chewing gum, his eyes large and somber, and told him:

"'And now, Sirhan Sirhan, I've done all the best that I could do for you...'

"Shifting his gaze to Mrs. Mary Sirhan, 56, in the second row of the court, Cooper said, 'Mary Sirhan, I now entrust the life of your son to this American jury. And, Mary Sirhan may your prayers be answered.'

"Mrs. Sirhan was the only witness in the penalty phase of the trial. Cooper called her to the stand and asked just one question: 'In his entire life before the shooting, has Sirhan ever been in trouble with the law?'

"Mrs. Sirhan answered in a solemn voice: 'He has never been. And that is not from me and not from him. This is because I raise him up under the law of God and in His love.'

"Cooper stressed repeatedly that while the law prescribes either death or life imprisonment for first-degree murder, the law states no preference..

"If Kennedy's life must be avenged, Cooper suggested, Sirhan's conviction and a sentence of life imprisonment is vengeance enough.

"To execute Sirhan cannot bring Kennedy back, Cooper said, but to sentence Sirhan to life in the California Medical Facility at Vacaville would enable penologists and psychiatrists to study the defendant, to see 'what more can be learned about the human mind, and what makes people want to kill.'

"Such a study, Cooper said, could help prevent further such crimes as Sirhan's.

"Cooper's plea followed an impassioned plea for mercy by defense attorney Russell E. Parsons, who told the jurors that a verdict of death would be, in effect, telling the world that justice isn't possible in America.

"'This man is sick,' said Parsons, 'and I don't believe we've got to the bottom rung yet, where we execute sick people in California.'

"To do so, he said, would be 'to follow Hitler, who believed in killing the lame, the halt and the sick.'"

Reported another Los Angeles newspaper (Herald-Examiner):

"The jurors asked for nothing -- nor did they seek any further advice from (Superior) Judge Herbert V. Walker, presiding, over the trial, during their afternoon session.

"At 3:50 p.m., Sheriff's Inspector William Conroy told waiting newsmen the jurors were retiring for the night.

"He disclosed that they had chosen Dr. Bruce D. Elliott as their foreman. Dr. Elliott, TRW Systems programmer, an emigrant from the Middle West, also presided over the jury when it found Sirhan guilty of first-degree murder in the June 5, 1968, Ambassador Hotel shooting of Sen. Kennedy.

"At that time the jury had a number of choices ranging from first-degree murder through manslaughter to an acquittal -- which no one sought.

"Should it be unable to agree on either, the choice could be left to Judge Walker. State and defendant alike could choose him to select the penalty.

"Sirhan awaits his fate in the isolation cell on the Hall of Justice's 13th floor, where he has been confined for the past 10 months.

"He sat there... clad only in underwear staring at the barred door of his cell and the armor plate which covers its windows. He had no visitors and spoke only briefly to the squad of sheriff's deputies who keep him under constant surveillance.

"His only relative in the heavily-guarded courtroom was his brother, Adel. Another brother, Munir, had taken his mother, Mrs. Mary Sirhan, home.

TUESDAY, APRIL 22 -- The jury in the Sirhan B. Sirhan murder trial deliberated for two and one-half hours today and then returned to their quarters in a Los Angeles hotel.

They have deliberated on the penalty for Sirhan, the accused assassin of Sen. Robert F. Kennedy, a total of eight hours and 44 minutes today and yesterday.

Reported a Los Angeles newspaper (Herald-Examiner):

"Court attaches pooh-poohed speculation" late today "that the jury was deadlocked. There is, they averred, no set of standards by which to judge a murder jury.

"But the strain of the long deliberation showed on their faces as it did on the faces of the jurors who were bundled into a barred Sheriff's Department bus at 4 p.m. for the trip to the Biltmore Hotel where they are quartered.

"Grant B. Cooper, chief defense counsel, was clearly disturbed. He told newsmen:

"'It is obvious there are people on the jury who are demanding that Sirhan get the death penalty. Whether they are in a minority or a majority, I have no idea.'

"Equally disturbed was Adel Sirhan, the defendant's 30-year old brother. Only member of the family to wait out the jury in the grim, armor-plated Eighth floor Hall of Justice courtroom, the nattily dressed Arab immigrant said:

more --

"I have run out of patience."

The same newspaper said, "It is believed they (the jurors) have taken several ballots. Law requires that their verdict -- life or death -- be unanimous. There is no majority rule in the decision as to whether a man convicted of first-degree murder shall live out his life in prison or die in the gas chamber.

"Should the jurors be unable to agree, the procedure would be as follows:

"Judge (Herbert V.) Walker would have to summon them into court to inquire of them how the matter stood. This could involve a poll of the 12 as to their position on life or death.

"If he determined the jury to be hopelessly deadlocked he could then:

"Ordain a life sentence for Sirhan.

"Call for a new penalty jury, which would have to hear the arguments in the case in reprise.

"Enter into an agreement with defense and prosecution lawyers by which they left the issue of penalty up to him."

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WEDNESDAY, APRIL 23 -- Sirhan Bishara Sirhan was sentenced today to death in the gas chamber for the murder of Sen. Robert F. Kennedy.

The jury, composed of seven men and five women, signaled it had reached a verdict at 11:04 a.m., after 12 hours deliberation since the penalty phase began at noon Monday.

Reported a Los Angeles newspaper (Times):

"The 25-year old Palestinian's face was ashen but impassive as he heard the death verdict. Moments later he told his visibly shaken defense attorney, Grant B. Cooper, 'Don't be concerned. Even Jesus Christ couldn't have saved me.'"

Appeal of a death sentence is automatic in California and Sirhan's defense said it will stay with his case through the appeal," according to Dave Smith, staff writer for the newspaper.

Meanwhile, the same newspaper reported that "the final life-or-death decision concerning" Sirhan "may be made by Gov. Reagan, who has the power either to commute the death penalty to life in prison, or to grant an outright pardon.

"The governor, who has publicly expressed the view that the death penalty is a deterrent to crime, has used this power only once since taking office.

"He commuted the sentence of condemned slayer Calvin Thompson on grounds that psychiatrists said the prisoner was a mental defective.

"Two months earlier, on April 2, 1967, he refused clemency for Aaron Mitchell, who was executed for the murder of a Sacramento policeman.

"Mitchell was the last man executed in California. There are 81 men now on San Quentin's death row and 500 are awaiting execution in the nation.

The jury entered the courtroom of Superior Judge Herbert V. Walker at 11:34 a.m. today and the judge asked, "Ladies and gentlemen of the jury, you have a verdict?"

"We have, your honor," said the foreman, Bruce D. Elliott.

Reported Smith in the newspaper:

"He (Elliott) handed the verdict to bailiff Willard Polhemus, who passed it to Judge Walker.

"The 69-year old jurist, presiding over his final and most celebrated case before retiring in July, scanned the verdict and handed it to court clerk Alice Nishikawa, who read aloud:

"The people versus Sirhan Bishara Sirhan. We, the jury, in the above entitled action, having found the defendant guilty of murder in the first-degree as charged...now fix the penalty as death."

"She paused, then continued, 'Is this your verdict, ladies and gentlemen of the jury? So say you one, so say you all?'

"The jury unanimously spoke its assent. Polled individually, each juror replied firmly, 'Yes.'

"Sirhan, chewing gum, as he had last Thursday when the first-degree murder verdict was returned, paled as he listened to the jurors affirm their belief that he should die for the assassination of the New York senator.

"Less than five minutes before, he had entered the courtroom trailing smoke from one last puff on a cigaret and smiling boyishly at co-defense counsel Russell E. Parsons.

"Others were more visibly affected by the verdict.

"Cooper, 66, who never had a death verdict returned against one of his clients before Wednesday, appeared on the verge of tears. His eyes reddened and his jaw muscles twitched as he gave notice in a husky voice of a motion for a new trial.

"Judge Walker set a hearing on Cooper's motion for May 14."

Another Los Angeles newspaper (Herald-Examiner) related that Cooper "would seek the new trial on the basis of errors he claims the judge made during the lengthy trial."

Wrote John Douglas, staff writer:

"Two of these, the grizzled defense lawyer said, were:

"The judge's refusal to dismiss the indictment against Sirhan after Cooper charged that the Grand Jury which returned it was unrepresentative.

"Walker's denial of defense attempts to let the jury know that Dist. Atty. Evelle J. Younger had once agreed to let the young Arab plead

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guilty to first-degree murder in consideration of a guaranteed life sentence.

"This will be the first of a long series of moves on Sirhan's behalf. There is also every indication that Cooper and his associate, Russell E. Parsons, will carry the case to the U.S. Supreme Court.

"Appeal time could easily run several years and be further lengthened by stays of execution.

"Judge Walker also has the power to reduce the jury's verdict to life imprisonment. This is considered unlikely. Walker has handled 19 death penalty cases in his more than 16 years on the bench. In only one of these cases has he reduced the verdict."

After the verdict was returned, both the prosecution and defense held press conferences.

Coverage of the prosecution conference in the Los Angeles Times by Ron Einstoss, staff writer, included the following:

"Sirhan B. Sirhan's own conduct during his trial, as much as the enormity of the crime, may have been the decisive factor which led the jury to return a death penalty verdict.

"That was the opinion Wednesday of Chief Dep. Dist. Atty. Lynn D. Compton, who headed the three-man team which prosecuted the 25-year old Palestinian Arab.

"Asked following the return of the indictment whether anything at the trial might have given him reason to believe a death penalty verdict would be returned, Compton said:

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"I don't believe the defendant's conduct was such as to evoke sympathy or endear him to the jury."

"Compton obviously based his evaluation on the fact that in death penalty cases juries often are swayed by the personal actions and testimony of the defendants as they are by the evidence against them."

"Compton said he felt the verdict was 'proper' and that it expressed the jury's attitude toward 'this particular crime.'"

"It also, according to the prosecutor, was the one 'the great majority of the American people' who, he said, favor capital punishment would have voted for if they had been sitting on the jury."

"In the opinion of Compton, a veteran of many death penalty cases, the jury's verdict may serve as a deterrent to others who consider violence to accomplish their ends."

"I hope it is a deterrent...I hope it puts people on notice that we simply can't tolerate this kind of action as solution to our political or social problems," he declared.

"It was left to Dep. Dist. Atty. David N. Fitts, who with Compton and Dep. Dist. Atty. John E. Howard prosecuted Sirhan, to comment on the psychiatric testimony on which the defense relied heavily to save Sirhan's life."

"In this case, to some extent," said Fitts, "it (the testimony) was not as worthy of respect as I might have anticipated when the trial began."

"Howard, a great admirer of Sen. Kennedy, offered no comment following the verdict."

"On Monday in his argument to the jury, Howard had asked that the jurors have 'the courage to write the end to this trial and to apply the only proper penalty for political assassination in the United States of America.

"Compton, asked to speculate on whether Sirhan would ever be executed, said that based on 'the pattern of these things' in recent years, 'I don't think it would be in the very near future.'"

At the press conference held by the defense, and reported in the Los Angeles Times by Lee Dye, staff writer, Cooper said the jury was deciding issues far greater than the trial itself.

He said that jurors were influenced by student and civil unrest across the country and by the identity of the victim.

Continued Dye:

"He said several times during the press conference that he was not charging that the jurors had been unfair, but he said that 'the underlying feeling of the entire United States (regarding unrest in the universities and civil disobedience) caused a backlash that has seeped into the minds of the jurors.

"The jurors are governed by the same emotions -- love and hate -- that you and I have, and they can't help but be affected by unrest,' Cooper said.

"Russell E. Parsons, Cooper's associate in the defense of Sirhan for the murder of Sen. Robert F. Kennedy, made several emotional statements much to the same effect.

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"'Things are bad in this country,' Parsons said, in reference to the unrest and lawlessness, 'and it's very difficult to get a fair trial.'"

"Cooper then repeated his claim that no member of the defense team was saying that Sirhan did not have a fair trial.

"Cooper said the identity of Sirhan's victim greatly influenced the outcome of the trial."

He told reporters: "Of course, I am disappointed. I believed in our defense, and I believed he should not be executed. I feel very bad."

One juror, George Stitzel, told reporters, "As long as we have capital punishment what other crime would justify it if this didn't".

"That seemed to be the general feeling Wednesday of the seven-man, five-woman jury who decided the fate of Sirhan B. Sirhan," reported David Larsen, staff writer, in a Los Angeles newspaper (Times).

He continued:

"From the start, most of the jurors favored a conviction on first-degree murder, Stitzel revealed. It was then a matter of converting those few who leaned to a verdict of second-degree murder.

"Stitzel, a pressroom supervisor at the Times, said five formal ballots were taken during the 12 hours of the penalty deliberations, although oral votes were taken from time to time to see how the count stood. -

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constructed for him at Vacaville.

"Philip D. Guthrie, spokesman for the State Department of Corrections, indicated the department hopes the Legislature grants permission to house Sirhan at Vacaville while he awaits the death penalty.

"We think we could do a better job (of protecting Sirhan) if he goes to Vacaville,' he said.

"Special protection is needed for Sirhan because authorities say it is dangerous for him to be mixed with hardened prisoners who have violent feelings about the assassination of the New York senator.

"Guthrie, who said many prisoners -- including informers, homosexuals and former police officers -- remain in protective custody at all times, added in an understatement:

"The prison population is probably more inclined toward violence than the general population.'

"He said the 'really unprecedented notoriety' of Sirhan's case had caused the state to seek special protection for him."

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FRIDAY, APRIL 25 -- The request of Grant B. Cooper, one of three attorneys representing Sirhan B. Sirhan, the convicted slayer of Sen. Robert F. Kennedy, to change the date when arguments on a series of defense motions and formal sentencing will take place was granted by Superior Judge Herbert V. Walker.

Dep. Dist. Atty. David N. Fitts, representing the prosecution, did not oppose the request for a change.

The new date is May 21, instead of May 14, as originally requested by Cooper, after the jury returned a death penalty verdict last week.

Today's court session was held in a makeshift courtroom on the 13th floor of the Hall of Justice -- the scene of earlier pre-trial matters -- and took five minutes.

Reported a Los Angeles newspaper (Times):

"Sirhan was smiling much of the time. He grinned at the 40 spectators, about evenly divided between newsmen and security officers, and acknowledged his brother, Munir, the only member of his family present, by lip-speaking to him."

Cooper told newsmen that Sirhan "feels pretty good" and that he is hopeful the judge will grant him a new trial or reduce his penalty to life in prison.

Cooper also related that Sirhan "is still holding up like a man" and said Sirhan objected to Dep. Dist. Atty. John E. Howard's penalty

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argument in which the prosecutor said he showed no remorse over his act.

The attorney added that Sirhan told him, he "broke down and cried like a baby when he heard Kennedy had died."

Another Los Angeles newspaper (Herald-Examiner) quoted Cooper as stating he and Russell E. Parsons, another attorney, told Sirhan, "This is a fine time to be telling us that."

Meanwhile, another Los Angeles newspaper (Times) published the following editorial on the case:

"The jury that convicted Sirhan Sirhan of the willful and pre-meditated murder of Sen. Robert F. Kennedy has now determined that he should be executed for this crime.

"This is not, to be sure, the final word on the case. The law provides for an extensive appeals process, and at some point higher authority may commute Sirhan's sentence to something other than death in the gas chamber.

"The long, costly and thorough trial which has just ended can properly be regarded as justice exercised as it should be.

"Within our legal system this is not something that should cause special comment. Yet, in view of how other cases involving notorious political murders have recently been handled -- one thinks of the Oswald-Ruby circus in Dallas and the abortive James Earl Ray trial in Memphis -- the conduct of the Sirhan case is a source of some satisfaction.

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"Judge Herbert Walker's decision early in the proceedings not to permit Sirhan to plead guilty and thereby obviate a full trial was sound. The defense and prosecution had agreed on a plea of guilty to first-degree murder, with an understanding that a life sentence would be imposed.

"But Judge Walker said no. He wanted a full trial, with all evidence presented and all witnesses heard.

"Sirhan thus had his day in court, and the requirements of justice were served. No grounds were provided for any charges of conspiracy or coverup that would predictably have resulted if the trial had been ended abruptly. Sirhan's rights were fully and scrupulously heeded.

"Of equal importance, so were the rights of the People.

"The jury's findings of first-degree murder was based on overwhelming evidence of premeditation, and its imposition of the death penalty was in keeping with the law. In California, the alternative penalty, life imprisonment, really is not that at all.

"Parole is possible within as few as seven years. Sirhan is not the sort of man most persons would want free in society again.

"During the trial questions were raised, and remain, about Sirhan's mental state. The contradictory testimony of expert psychiatric witnesses did little to resolve these questions. What did emerge clearly is that Sirhan is a wretched and ultimately pathetic little man, who would have remained deservedly obscure except for the tragedy he caused. That tragedy cannot be erased.

"One can only pray that others like it can be prevented."

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., May 7, 1969
After 10 a.m.

WEEKLY SUMMARY #48

Re: The assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 48th summary, and others will be for release on subsequent Wednesdays.

MONDAY, APRIL 28 -- The California Federation of Young Democrats meeting in Los Angeles have adopted a resolution calling for life in prison for Sirhan Bishara Sirhan, who has been condemned to death for the murder of Sen. Robert F. Kennedy.

Reported a Los Angeles newspaper (Times):

"About 200 delegates to the quarterly meeting adopted the resolution asking the court to commute the sentence."

Sen. Kennedy was slain by Sirhan on June 5, 1968, after Kennedy was successful in California's Democratic Presidential primary election.

Sirhan was found guilty of first-degree murder by a jury and also condemned to death by the same jury.

Arguments for a new trial and formal sentencing is expected to take place in the courtroom of Superior Judge Herbert V. Walker on May 21.

"Rumors" of possible prison retaliation against Sirhan B. Sirhan were disclosed today by an official of the state's prison system, accord-

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SEARCHED	INDEXED
SERIALIZED	FILED
MAY 9 1969	
FBI - LOS ANGELES	

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ing to United Press International.

Lawrence E. Wilson, deputy director of the State Department of Corrections, told newsmen the hints were "nothing that you could put your finger on."

The prison official spoke with newsmen in Sacramento after a State Assembly committee rejected the state's request to house Sirhan, convicted killer of Sen. Robert F. Kennedy, in a special high-security cell at the Vacaville Medical Facility.

Continued the UPI story:

"Sirhan, a Jordanian immigrant, was condemned to the San Quentin gas chamber last Wednesday in the assassination of Sen. Kennedy, gunned down as he celebrated victory in California's 1968 primary election.

"Phillip D. Guthrie, spokesman for the Department of Corrections, told newsmen Sirhan would be confined at San Quentin.

"At San Quentin, the state's maximum security prison north of San Francisco, the state plans to establish what Wilson called a "buffer zone" for Sirhan that would place him in the middle cell of three and keep the two on either side empty.

"He will be totally isolated," Guthrie said.

"Guthrie noted that the 79 prisoners now on death row must walk across an open prison 'yard' -- a huge area where inmates get exercise in full view of other inmates.

"It is right through the main compound -- right through the

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entire population,' Wilson said. He said Sirhan would be escorted 'fore and aft' in front and to the rear -- by security guards and have special guards in his cell block."

Meanwhile, a Los Angeles newspaper (Times) said Guthrie indicated that the department wanted to keep Sirhan at Vacaville because the department is "less well suited at San Quentin to exert the precautions that will be necessary."

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., May 14, 1969
After 10 a.m.

WEEKLY SUMMARY #49

Re: The assassination of
Senator Robert F. Kennedy.

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 49th summary, and others will be for release on subsequent Wednesdays.

SUNDAY, MAY 4 -- Because of legal technicalities, the U.S. Supreme Court will overturn Sirhan B. Sirhan's conviction for the murder of Sen. Robert F. Kennedy, the Jordanian immigrant's chief defense counsel said in a TV interview broadcast in Los Angeles today.

According to a story in a Los Angeles newspaper (Herald-Examiner) yesterday, Attorney Grant B. Cooper said the court was in error in admitting Sirhan's notebook in evidence. Among other statements, it contained the sentence, "Kennedy must die."

Continued the newspaper account of the TV program:

"Cooper said that without the book the prosecution would have been unable to establish premeditation for the assassination. The lawyer also said he believed the jury was not a representative cross-section of the people, as he said was constitutionally guaranteed.

"According to Cooper, the case presented by the defense, with its parade of expert psychiatric witnesses, was 'too sophisticated' for

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SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAY 22 1969	
FBI - LOS ANGELES	

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the jury.

"In commenting on the case that was the capstone of his distinguished career, Cooper said his mail from the public indicated that they did not respect him for his defense for Sirhan. But he said the opinion was just the opposite in letters from other attorneys.

"Earlier yesterday, Cooper said he expected to take half a day in his arguments May 21 for a new trial for Sirhan."

(Meanwhile, in a speech at Palmdale (California) late last week, Chief Dep. Dist. Atty. Lynn D. Compton, who headed the three-man prosecution team in the Sirhan case, commented on the case.

(According to a United Press International story in the Hollywood Citizen-News, Compton said "there is no difference between the convicted assassin of Sen. Robert F. Kennedy and student militants who take over campus buildings.

("The assassination of a political figure is essentially no different than the act of occupying a school building," he related.

(Continued the UPI story: "'There is no difference between people you see on TV with their distorted faces and hate who feel justified in rioting or taking over a campus building and Sirhan,' said Compton.")

Compton added: "Both are examples of using physical force to accomplish political goals. The only difference is one of degree of violence."

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WEDNESDAY, MAY 7 -- Los Angeles County Dep. Dist. Atty.

John E. Howard, one of the prosecutors in the Sirhan case, recently addressed the San Gabriel Valley Bar Association, and admitted that the trial "presented some unique tests for the American judicial system," according to an article in a Los Angeles legal newspaper (Daily Journal).

Continued the article:

"The deputy district attorney said that the state was concerned with security surrounding the defendant because of what had happened in Dallas following the assassination of President John F. Kennedy. He said that the (Los Angeles County) District Attorney's Office as well as the entire system of law was on public trial before the world.

"The speaker stated that it was imperative that adequate publicity be given to every item in the case, since to conceal anything would only raise suspicion.

"Howard said that when he entered the case he was given instructions to make a thorough investigation report to the citizenry, and see that the unpopular alien received a fair trial.

"Sirhan's continued outbursts in court did not make the prosecution's job any easier, said Howard. These outbursts only raised question marks in the minds of some as to the fairness of the trial.

"Howard commended Judge (Herbert V.) Walker on the job he did in maintaining the equilibrium of the court during the long weeks of the trial. 'He did a magnificent job,' said Howard.

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"Also, said Howard, the investigation disclosed the flawless job done by the Los Angeles Police Department. Howard said that police officers went into the Ambassador Hotel and peacefully removed the prisoner while protecting him with their own bodies from possible outside forces.

"The deputy district attorney told the bar association that he was present during much of the initial questioning of Sirhan, and can testify that the defendant was informed of his constitutional rights at least nine times.

"If ever a man was protected under the law from start to finish, it was Sirhan, Howard concluded."

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NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION
Call Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., May 21, 1969
After 10 a.m.

WEEKLY SUMMARY #50

Re: Assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 50th summary, and others will be for release on subsequent Wednesdays.

SUNDAY, MAY 11 -- According to a Los Angeles newspaper (Times), Attorney Melvin Belli met with the family of Sirhan B. Sirhan, the convicted slayer of Sen. Robert F. Kennedy, yesterday.

The newspaper article, by Noel Greenwood and Linda Mathews, staff writers, indicated Belli said 'he probably will handle the appeal of Sirhan's conviction for the assassination of' Sen. Kennedy.

Continued the news story:

"He said he would meet with Sirhan early this week.

"The announcement set off speculation that Belli was about to take over the defense of Sirhan, sentenced to die in the gas chamber.

"I think the death penalty is completely uncalled for,' said Belli, who defended Jack Ruby in his trial for the murder of Lee Harvey Oswald, assassin of President John F. Kennedy. Ruby received a death sentence but was awaiting retrial when he died of cancer in January, 1967.

"Although Belli said his interest in Sirhan was limited to writing an appeal brief, an associate indicated Belli's role could develop into much more than that.

"There's no question the family would like him to do that (write an appeal brief)' said Sydney Irmis, a Beverly Hills attorney associated with Belli.

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SEARCHED	INDEXED
SERIALIZED	FILED
MAY 22 1969	
FBI - LOS ANGELES	

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"Then, the question is whether he's going to go any further. And I think nobody but Sirhan can decide that."

"Russell E. Parsons, one of Sirhan's three defense lawyers, informed of Belli's comments, said he was in the case "until the bitter end."

"I told him (Sirhan) when he hired me that I would go to the Supreme Court of the United States if necessary, and he shook hands with me and said, 'That's what I want.'"

"Grant B. Cooper, Sirhan's chief defense counsel, said he knew nothing about Belli entering the case."

"Belli said Sirhan's mother and two brothers first approached him about three weeks ago when he was in Los Angeles for a trial."

"In a two-hour meeting during a court recess, they asked him to enter the case, he said."

"Saturday morning, Sirhan's mother and brother, Adel, met with Belli in the lawyer's Los Angeles apartment. Adel then agreed to arrange for the meeting this week between Sirhan and Belli."

"Belli said his main interest was in writing the appeal should the motion for a new trial for Sirhan be denied. That motion, submitted last month by Cooper, is scheduled for argument May 21 before Superior Judge Herbert V. Walker."

(Meanwhile, the Los Angeles Herald-Examiner carried a United Press International story quoting Mrs. Mary Sirhan as stating "I can't comment (about Belli) because I don't know that much about it."

(The same UPI story reported that "Belli said Sirhan was mentally unbalanced and added, 'Sirhan's not going to die.'")

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MONDAY, MAY 12 -- Sirhan B. Sirhan said today that he will keep Attorneys Grant B. Cooper and Russell Parsons "and none other" to fight his conviction and death sentence for the murder of Sen. Robert F. Kennedy.

According to a Los Angeles newspaper (Times), "It was the first word from Sirhan himself in response to stories that celebrated San Francisco Attorney Melvin Belli would handle Sirhan's appeal."

In a statement today, released through Cooper, Sirhan said:

"I, Sirhan Sirhan, having full confidence in my present attorneys, Grant B. Cooper and Russell Parsons, members of the California State Bar, hereby engage them and none other to handle my appeal to the Supreme Court of the State of California and, if necessary, to the Supreme Court of the United States."

The statement, continued the newspaper, was signed by Sirhan and witnessed by Baron Sarkees Nahas, an Arab who served as unofficial advisor to Sirhan's defense during the 15-week trial, and Sheriff's Lt. Rudolph Berteaux.

As for Belli, he was quoted Friday in Tucson as saying Sirhan's family had contacted him and, "They want me to do the appeal," reported the newspaper.

Related the newspaper:

"Sirhan's brother, Adel, 30, said Monday he and his mother, Mary, 59, had met with Belli once, but that the meeting had been indecisive. He said Belli had not been engaged either to assist or replace Sirhan's present attorneys.

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"Asked if the family was dissatisfied with Sirhan's defense, in view of his conviction, Adel Sirhan said, 'No, we are not -- not in any way.'

"He said it was his understanding that Belli's involvement in the case probably would be in filing a friend of the court brief. Belli himself was quoted earlier as saying he did not expect to participate personally in any further court sessions, but would probably restrict his efforts to a written appeal.

"Belli was not immediately available for comment Monday."

Cost of the Sirhan trial to the taxpayers of Los Angeles County totals \$929,285, said Supervisor Kenneth Hahn, "in releasing the final audit of the most expensive trial in Los Angeles County history," according to an article in a Los Angeles legal newspaper (Daily Journal).

"Any appeals will add to the expense," he said, continuing that he hopes "it prevents the need for another Warren Commission which cost \$6 million to investigate the death of President Kennedy."

County costs through April 30, said Hahn, were \$570,478; Sheriff's Department, \$110,000; Pasadena Police Department, \$39,978; Los Angeles Police Department, \$208,829.

Some of the extraordinary costs included \$62,045 to alter the Hall of Justice and Central Men's Jail and \$58,397 for witness, jury and transcribing fees, added Hahn.

(Meanwhile, it was charged at a Civil Service Commission hearing that the suspended Los Angeles County Coroner, Dr. Thomas T. Noguchi,

"danced in his office while waiting for Sen. Kennedy to die from an assassin's bullet last June," according to the Los Angeles Times.

(The newspaper quoted Noguchi as stating he would be famous if the senator died.

(Noguchi was the coroner at the time of the assassination. He was fired by the Board of Supervisors March 18, after the county chief administrative officer filed a long report critical of Noguchi's conduct in office.

(At today's hearing, Godfrey Isaacs, Noguchi's attorney, said his client revered the senator and "if he could have given part of his life for Kennedy to live, he would have.)

* * *

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., May 28, 1969
After 10 a.m.

WEEKLY SUMMARY #51

Re: Assassination of Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 51st summary, and others will be for release on subsequent Wednesdays.

MONDAY, MAY 19 -- Payment of \$85,071.08 was demanded today from organizations which last year backed U.S. Sen. Robert F. Kennedy for President, according to an article in a Los Angeles newspaper (Times).

(The senator was shot by Sirhan Bishara Sirhan in the Los Angeles Ambassador Hotel on June 5, 1968. He now awaits sentencing by Superior Judge Herbert V. Walker. The jury voted the death sentence for the defendant.)

The demand for payment was contained in a suit filed in behalf of the hotel, and directed against the National Kennedy for President Committee, Kennedy National Headquarters, Kennedy Campaign Committee and the latter's attorney, Stanley R. Caidin, and Julius Glazer, accountant.

Filed April 18, the suit was sealed pending the levying of an attachment by the county marshal's office. The marshal's report showed that an account standing in the name of the Kennedy Campaign

more --

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MAY 29 1969	
FBI - LOS ANGELES	

10020

Committee at the U.S. National Bank had been attached.

But Caidin said only a "nominal amount" was in the account.

The suit said the bill was incurred for hotel space, goods and services under an agreement made in June, 1968.

* * *

TUESDAY, MAY 20 -- The Los Angeles County Board of Supervisors today voiced support of federal legislation designed to reimburse state and local governments for expenses resulting from the prosecution of individuals accused of assassinating or attempting to assassinate federal office holders.

Noted an article in a Los Angeles legal newspaper (Daily Journal):

"The resolution delivered by Supervisor Kenneth Hahn called for the county to support a bill now before the United States Senate, which was authored by Montana Senator Lee Metcalf.

"If passed, the legislation would provide for the reimbursement of any prosecution expense resulting from the attempted assassinating or assassination of the President, cabinet member, Senator and member of the House of Representatives.

"The resolution by Supervisor Hahn made reference to the recently-concluded trial of Sirhan Sirhan, the convicted assassin of Senator Robert F. Kennedy.

"Hahn said that the trial of Sirhan cost the taxpayers of Los Angeles County \$929,285, and was the most costly in the history of the county.

more --

"The resolution also requested that the expense of the Sirhan trial be reimbursed by the federal government. Copies of the resolution are being sent to President Nixon and to all the members of Congress."

* * *

WEDNESDAY, MAY 21 -- Appearing in Superior Court today at the trial of Sirhan B. Sirhan, Los Angeles County Dist. Atty. Evelle J. Younger issued the following statement regarding a hand-written letter he received from Sen. Edward M. Kennedy, brother of Sen. Robert F. Kennedy, who was slain by Sirhan.

The text of the statement:

"Some time ago, when discussions concerning the possibility of a plea were being conducted, I inquired of an attorney representing Senator Edward Kennedy whether or not the Senator or the Kennedy family had any comments or recommendations relative to the penalty in this case.

"I was told at that time that the Senator did not have any recommendations.

"Last week, this same attorney phoned from New York and asked me whether or not, in my opinion, it would be proper for the Senator to now express an opinion concerning penalty.

"I indicated that, in my opinion, the question of guilt having been decided, it would be proper for a member of the family of the victim to express an opinion, provided it was done openly in the form of a letter to the probation office or to the judge.

more --

"I further indicated, however, that the judge might consider such an opinion irrelevant to the present proceedings, but that in any event, the letter would be in the file for consideration at any clemency hearing that might occur in the future.

"I indicated that if the Senator wished to write a letter expressing his opinion, I would present it to your Honor in open court. I have here a hand-written letter, which was delivered to me on May 19, 1969, and I offer it to your Honor for whatever consideration you deem proper."

Copies of the Senator's letter were then handed to Judge Herbert V. Walker and Grant B. Cooper, one of the defense attorneys, but it was not read in open court.

Later, however, Younger released the text of the Kennedy letter, which is as follows:

"Some weeks ago you inquired whether the Kennedy family wished to express any views on the possible penalties available to the court under the law in the trial involving the death of my brother.

"The issue then was the position to be taken by the prosecution on the offer of a plea of guilty and that involved the question whether there would be any trial at all. We felt that any answer to your inquiry at that time would accordingly be inappropriate.

"At the time of the hearing on the sentence a similar inquiry was made by defense counsel. The matter was then before the jury and again any response seemed inappropriate.

"I now understand that the trial judge will be called upon to exercise his discretion concerning the penalty. Since this is now a question of clemency and the trial proceedings have been concluded, I feel I can appropriately convey to you, for whatever consideration you believe to be proper, how we feel.

"My brother was a man of love and sentiment and compassion. He would not have wanted his death to be a cause for the taking of another life.

"You may recall his pleas when he learned of the death of Martin Luther King. He said that 'what we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness, but love and wisdom and compassion towards one another.'

"Moreover he was a young man totally committed to life and living. He stood against injustice, poverty and discrimination for these evils lessened life.

"He grew to despise war for war denies the sacredness of life. And he had a special affection for children for they held the promise of life.

"We all realize that many other considerations fall within your responsibility and that of the court. But if the kind of man my brother was is pertinent we believe it should be weighed in the balance on the side of compassion, mercy and God's gift of life itself."

Sirhan was formally sentenced today to death in the San Quentin gas chamber, despite the plea by Sen. Edward Kennedy that the life of

his brother's assassin be spared.

Reported a Los Angeles newspaper (Times):

"Superior Judge Herbert V. Walker, brushing aside both the dramatic letter and an impassioned entreaty by defense attorney Grant B. Cooper, read solemnly from a previously prepared summary of the case.

"This is the time for judgment and sentence...It is the judgment and sentence of this court that for the crime of murder in the first-degree...you should suffer the penalty of death within the walls of San Quentin in the manner prescribed by law."

"He ordered the diminutive assassin taken to San Quentin's Death Row within 10 days.

"Sirhan, standing with his hands on his hips and staring without visible emotion as the judge sternly pronounced sentence, turned and smiled at defense investigator Michael McCowan, 'Well, now the real battle begins.'

"Mrs. Mary Sirhan, seated in the second row of the small courtroom, cried softly and dabbed at her eyes as she waited for court to adjourn, signalling the moment when she could visit her condemned son in his 13th floor cell.

"She also had written to Judge Walker, citing Biblical references in her plea for mercy for Sirhan. Her letter, delivered to the 69-year old jurist Wednesday morning, was not mentioned in open court."

Before the formal sentencing today, Cooper cited 13 grounds for his motion for a new trial for Sirhan, arguing at length on two points.

Reported the newspaper:

"He devoted his major effort to a contention that the defense had been misled by the prosecution last February, when the possibility of a change of pleas was being discussed.

"At that time, Cooper said, both defense and prosecution agreed that Sirhan could plead guilty to first-degree murder with an understanding that he would be sentenced to life imprisonment.

"But Judge Walker rejected this deal, insisting that if Sirhan did change his plea, the question of penalty must still be left up to the jury.

"Cooper said the prosecution then offered, if Sirhan would plead guilty, to recommend that the jury hand down a life sentence.

"Asked what the prosecution would do if Sirhan decided against the plea change and went ahead with the trial, Cooper said, the prosecution stated it would make no recommendation, either for a death penalty or a life sentence.

"At that time, Cooper said, Younger told the defense that the prosecution was 'in a position where we can't conscientiously urge the death penalty.'

"It was on this understanding, Cooper said, that the defense finally advised Sirhan to go ahead with the trial and not risk a jury decision for death despite the prosecution's reported willingness not to press for it.

"It was here, Cooper said, that they were misled because the prosecution 'didn't keep its word' when Dep. Dist. Atty. John E. Howard

made his final argument to the jury in the penalty phase of the trial, after Sirhan had already been convicted of first-degree murder.

"Although Howard never specifically mentioned the death penalty, he did urge the jury to return 'the only proper penalty for political assassination in the United States of America.'

"Cooper, in addition to claiming the defense was misled, also charged Judge Walker with judicial error in not accepting the plea change.

"He further charged the jurist with error in his refusal to bar from evidence the controversial notebooks in which Sirhan wrote of his intention to kill Kennedy.

"Although Sirhan's writings later became a major bulwark of his defense of diminished mental capacity, Cooper contended that the notebooks were illegally seized to begin with.

"Cooper's final plea for a reduction of Sirhan's death penalty hinged principally on Younger's willingness to accept a life sentence because of psychiatric reports indicating that Sirhan was mentally ill.

"Cooper's motion was supported by a friend-of-the-court brief offered by attorneys A. L. Mirin and Fred Okrand of the American Civil Liberties Union."

Another Los Angeles newspaper (Herald-Examiner) offered these comments:

"'Had the jury known at the time they were considering the question of life and death the attitude of the Kennedy family,' Cooper said, 'I feel their verdict would have been entirely different.'

"Cooper also asked the judge to reduce the sentence on the basis that Sirhan is mentally ill and that he 'has never been in difficulty with the law before and has a completely clean record.'

"The veteran attorney, who never before had a client convicted of first-degree murder or sentenced to death, also read editorials from news media, requesting a reduction of the sentence of life imprisonment.

"Mrs. Irma Martinez, one of the jurors who convicted and doomed Sirhan, and Mrs. Eleanor Landgreen, an alternate who also sat through the 16 weeks of testimony, returned as courtroom spectators to hear Judge Walker's upholding of the verdict. They appeared unmoved by Sen. Kennedy's plea for Sirhan's life.

"In issuing the sentence, Judge Walker also denied Cooper's 13-point motion for a new trial.

"'It is disappointing,' Cooper said after the judge's decision, 'but that is that.'

"Sirhan will have an automatic appeal of the death sentence before the California Supreme Court. Cooper said, however, he planned to file a separate appeal either Monday or Tuesday.

"Cooper and defense attorney Russell E. Parsons have vowed to carry Sirhan's case as far as the United States Supreme Court. Sirhan's third counsel, New York attorney Emile Zola Berman, bowed out of the case at the end of presentation of testimony and closing arguments.

* * *

THURSDAY, JULY 22 -- A Los Angeles newspaper (Herald-Examiner) today reported "Secrecy surrounds the imminent transfer of Sirhan, doomed murderer of Sen. Robert F. Kennedy, from Los Angeles to San Quentin's Death Row.

"Judge Herbert V. Walker yesterday ordered Sirhan sent to the prison 'within 10 days' after he upheld a jury's April 23 verdict and formally sentenced Sirhan to death.

"Sheriff's Department authorities, continuing their maximum protection of Sirhan that with his trial has cost the county almost \$1 million, refused to say when or how Sirhan will be taken to the prison north of San Francisco."

Meanwhile, the same newspaper reported today that Ira Goldstein, 20, who was shot during the June 5 slaying of the senator, has filed a \$500,000 damage suit against Sirhan and the Ambassador Hotel for injuries he received.

Continued the newspaper:

"Goldstein's suit, filed scant hours after Sirhan's sentencing, is the third civil action filed since the shooting.

"Goldstein alleges he was assaulted and beaten as well as shot during the assassination fracas. He named the hotel co-defendant on grounds its management was negligent in failing to provide for the safety of patrons."

The Associated Press today reported that "The 'Sirhan Area' is ready on San Quentin's Death Row for the killer of Sen. Robert F. Kennedy."

The story, carried in a Los Angeles daily newspaper (Herald-Examiner) continued:

"Sirhan if he is treated as other convicted California men for whom death in the gas chamber is decreed, will eventually come here (San Quentin) to await his fate.

"Life on Death Row is one of steel bars and mesh, clanging doors, buzzer signals, locks, guards and guns. It is a place where the clock and the calendar are the enemies.

"Sirhan will be granted no special privileges," said Associate Warden Jim Park as a massive bolt shot back and he shoved against a steel mesh door.

"The door opened on a bare 'no-man's land' in front of three locked and vacant cells, doubles of each of the cubicles farther down which caged the 25 condemned men of the southside tier.

"It was the route the Jordanian Arab would take after checking in past the main gate of the squat yellow fortress 15 miles north of San Francisco.

"Four strides over the bare pavement, and another meshed door blocked the way. Another bolt shot open, and the door was opened.

"This was the probable future home, and universe, of the slight man who raised a pistol June 5, 1968, in a kitchen area of the Ambassador Hotel in Los Angeles.

"Directly past the door is the Sirhan exercise area -- a 10 by 15-foot slab of pavement which is the 'front yard' of Cell 33.

"Locked and vacant cells flank either side of 33. They will remain that way. Like other prisoners on Death Row Sirhan will have a television set to watch through the bars of his cell. Sound is through a headset, which can also be plugged into a two-station outlet for radio at the rear of the cell.

"The Sirhan cell is like all the rest -- 4½ feet wide, 7 feet high and 11 feet deep. Appointments are a toilet, wash basin, two steel shelves, a tiny table, a flat-spring cot with a hard tick mattress and a pair of woolen blankets. Light is from a large, bare overhead bulb which can be operated in the cell.

"Like the other Death Row inmates, Sirhan would be let out of his cell into his exercise area for 3½ hours a day, starting at 10:30 a.m.

"He'll be able to talk to the other men,' said Park.

"Another thing Sirhan would be able to do outside his cell is to see a patch of blue sky through a couple of windows above the bars.

"But never, Park added, will any inmate, even the mainline prison trustees who feed Death Row, be permitted to get close to Sirhan. He will be fed by a guard.

"The idea, he said, is the same as in Los Angeles where Sirhan has been held since the shooting -- to keep the prisoner segregated from men who might want to get into the history books as the killer of

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an important assassin.

"I'm sure someone would like to kill him," said Captain Don Weber.

"Since 1938, after hanging was stopped in California, 194 persons, including four women, have been gassed in the split-second ritual prescribed by law.

"The question of the constitutionality of the death penalty is now pending before the U.S. Supreme Court."

* * *

THURSDAY, MAY 22 -- Meanwhile at a Los Angeles County Civil Service Commission hearing, it was stated that Dr. Thomas T. Noguchi, county coroner-medical examiner who performed the autopsy on Sen. Robert F. Kennedy, on hearing of the Senator's death blurted out 'Oh, no.'

Noguchi was fired from his post and requested a commission hearing.

Mrs. Thelma Graham Clark, a coroner's aide, said she telephoned the information to Dr. Noguchi and that his response was that "of a doctor...one of resignation."

* * *

FRIDAY, MAY 23 -- Sirhan Bishara Sirhan, convicted slayer of Sen. Robert F. Kennedy, entered Cell 33 on Death Row at San Quentin early today, after a secret pre-dawn flight from Los Angeles, according to a Los Angeles newspaper (Herald-Examiner).

He was removed from his heavily-guarded cell in the Hall of Justice at 2 a.m. and flown by a Sheriff's Department helicopter to

Van Nuys airport. From there he was taken by a state airplane to San Quentin in a 2½ hour journey.

The two-engine plane flew him to the Marin County Airport, six miles from San Quentin. A convoy of two state prison cars and four California Highway Patrol vehicles took the 25-year old Jordanian immigrant to San Quentin, 10 miles north of San Francisco.

According to the newspaper account, Sirhan was booked into the big prison at 5:31 a.m. and he was alert and very interested in the institution and its history, said Associate Warden James Park.

Park said Sirhan was given a normal Death Row breakfast of fruit, rolled oats, a cheese omelet, bacon, toast, coffee and milk.

Captain Don Weber, security chief, related that Sirhan "appeared alert and interested and asked a good many questions about the institution during the car trip."

Park said the other prisoners on Death Row "paid no particular attention to Sirhan.

"They like to think they've got a lot of class and don't get excited about this sort of thing," he added.

Los Angeles County Sheriff Peter J. Pitchess said the transfer was a joint one, using his deputies and state officers. "The early morning departure was at the request of state authorities," he added.

The newspaper noted:

"Less than 20 minutes after his arrival, Sirhan was locked into his cell, which is on the southside condemned unit, isolated from those of other men awaiting their dates with the gas chamber.

"On each side of Cell 33, there are locked, empty cells. An exercise area directly outside measures 10 by 15 feet.

"Prison officials said no other prisoners can get closer to Sirhan than 15 feet."

* * *

SATURDAY, MAY 24 -- Sirhan Bishara Sirhan today was 'fitting into routine' at his new home in Cell 33 of Death Row, according to San Quentin Warden Louis Nelson.

A report in a Los Angeles newspaper (Herald-Examiner) reported:

"One of the young Arab's doomed neighbors told a guard yesterday 'He's one of us now. He won't be bothered.'"

"Warden Nelson, however, is cautious. 'There is some underlying concern for the fellow,' he said. 'Many here would want to be known as the assassin of the assassin.

"We have to protect him until that time when the law says we must take his life.'"

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Immediately

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE PUBLISHES
LAST WEEKLY SUMMARY ON SIRHAN CASE, ANNOUNCES YOUNGER

On June 4, 1969, the 52nd and final summary providing written information to press, radio and television on the case of Sirhan Bishara Sirhan, the convicted slayer of Sen. Robert F. Kennedy, was issued by the Los Angeles County District Attorney's Office.

The idea for the summary came from Dist. Atty. Evelle J. Younger, whose office successfully prosecuted Sirhan. Realizing the importance of the case and the need to keep the public informed, he assigned his news secretary, Jerry Littman, a former newspaper editor and reporter, to devise the format.

The first issue, prepared in the form of a press release, was dated for release on June 12, 1968, seven days after the shooting, and a summary has been issued every Wednesday since that time.

Information for the summary was obtained from newspapers, investigators, prosecutors and other sources, and the complete set of 52 separate summaries totals nearly 500 mimeographed pages (8½ by 11 inches.)

Summary No. 1 began with the shooting of the senator and five other persons on June 5, 1968 and Summary No. 52 described comments made by Younger at a press conference on May 28, 1969.

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56-156-1-22

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 23 1969	
FBI - LOS ANGELES	

207

Sirhan Summary
2-2-2

The entire series detailed in chronological order what took place -- the shooting, the death of the senator, the indictment by the County Grand Jury, the trial delays, the actual trial and the sentencing.

The summaries have been used in a variety of ways by newspapers, radio and television stations in this country and abroad, as well as by the United States Information Service and Voice of America.

During the year of publication, the summaries were mailed to over 300 newspapers, radio and TV stations throughout the country as a public service.

A survey made by the District Attorney's Office of recipients showed that the majority used it for ready reference, while others ran the summaries verbatim or used portions of them.

Younger said that the replies from the survey "certainly proved that this was an important endeavor and a unique way for a prosecutor to keep the media informed."

Some of the comments included these:

"...I think this is one of the greatest ideas I've seen come from a public office in many a year" (newspaper editor).

"We are using the summaries only as background. We find them valuable in that respect" (managing editor, TV station).

"We consider it a valuable public service, and have been using your weekly summaries of the Sirhan case in full" (newspaper managing editor).

more --

Sirhan Summary
3-3-3

"They have been most useful and we are keeping them on file as they come in" (TV newscaster).

"I think the real value of the summaries will come six months or a year or so from now when the things still fresh in memory fade" (newspaper reporter.)

"In a case of this magnitude, such information as these summaries contain are vital for accurate reporting" (radio station newsman).

"I have used the material in each of these reports to write updated reports which I voice here (Los Angeles) and send to Washington on the phone line for special correspondent's reports used several times during the day and night in English and translated into 34 languages to rebroadcast across the world" (Voice of America).

"I use the summary for development of news angles on the Sirhan story in stories filed regularly to Washington for publication in the Middle East" (U.S. Information Agency writer).

Although the summary accomplished its purpose -- keeping the press, radio and television, and thus the public, informed -- Dist. Atty. Younger was not successful in his efforts to modify a court order restricting what defense and prosecution attorneys and others connected with the case could say to the press.

He sought an annulment of the order from the State Court of Appeal, the California Supreme Court and the U.S. Supreme Court, all of whom turned down the request.

The county prosecutor said he had information he "believes

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Sirhan Summary
4-4-4

the public is entitled to know, and which does not interfere with the constitutional right of the defendant to a fair trial or disrupt the proper administration of justice."

Much of this information was revealed at the May 28 press conference.

However, Younger has said that the world was entitled to information about the case, "and to the best of our abilities this material was made available."

In the concluding summary, Younger remarked that he was "grateful to the many members of the press corps for their objectivity in reporting the events of this trial and for their uncomplaining cooperation with the restrictions imposed by the court order."

6-69

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MEMORANDUM

TO: MEMBERS OF THE PRESS, RADIO AND TV

FROM: JERRY LITTMAN, News Secretary, Los Angeles
County District Attorney's Office

SUBJECT: FINAL SUMMARY RE: SIRHAN

DATE: JUNE 2, 1969

Since shortly after the assassination of Sen. Robert F. Kennedy in Los Angeles on June 5, 1968, the Los Angeles County District Attorney's Office has issued a Weekly Summary to the press, radio and TV.

This is the final Weekly Summary.

It was our aim in furnishing the summaries to keep the press, radio and TV informed of matters in connection with the case, and thus the public. We hope this has been achieved.

Thank you for your assistance.

NEWS RELEASE

Office of the District Attorney
600 Hall of Justice
Los Angeles, California 90012

FOR FURTHER INFORMATION

Call: Jerry Littman
News Secretary
626-3888, Ext. 82396

RELEASE: Wed., June 4, 1969
After 10 a.m.

WEEKLY SUMMARY #52

Re: Assassination of
Senator Robert F. Kennedy

Note to editors: Because of the widespread interest in the assassination of Senator Robert F. Kennedy in Los Angeles on Wednesday, June 5, 1968, and proceedings in court, the Office of Los Angeles County District Attorney Evelle J. Younger is publishing a weekly summary of the case. This is the 52nd and final summary.

SUNDAY, MAY 25 -- The trial of Sirhan B. Sirhan, the convicted killer of Sen. Robert F. Kennedy, cost Los Angeles County taxpayers \$929,285, according to a story in a Los Angeles newspaper (Times) today.

Quoting County Auditor-Controller Mark H. Bloodgood, the newspaper related:

"To obtain reimbursement from the federal government, the (County) Board of Supervisors has forwarded a resolution by Supervisor Kenneth Hahn to President Nixon and Congress.

"The resolution points out that SB 2080, by Sen. Lee Metcalf (D-Mont.), would reimburse local governments for 'expenses incurred in the prosecution of persons charged with the assassination or attempted assassination of officers of the United States.'

"Sirhan was the most heavily guarded prisoner in Los Angeles County history."

* * *

TUESDAY, MAY 27 -- "Charges that fired (Los Angeles) County

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Coroner Dr. Thomas T. Noguchi improperly handled the autopsy of Sen. Robert F. Kennedy have been dropped to prevent jeopardizing the conviction of assassin Sirhan Bishara Sirhan according to County Counsel John Maharg," a Los Angeles newspaper (Herald-Examiner) has related.

The surprise move came today during the Civil Service Commission hearing into Noguchi's March 18 dismissal by the County Board of Supervisors.

Continued the newspaper:

"Maharg told The Herald-Examiner, 'The real gist of the case is his (Noguchi's) ability to administer the coroner's office.

"'A trial (Sirhan's) of international significance took place across the street (from Maharg's office) and we don't want to jeopardize that trial.'

"Dr. Noguchi was suspended March 4, shortly after he testified to the Kennedy autopsy results during the Sirhan trial. He was fired two weeks later as the result of charges of drug use, abuse of employees, poor administration of his office and a desire for tragedy that would bring him personal fame.

"Sirhan was sentenced to death in the gas chamber for the June 5, 1968 assassination of Kennedy in the Ambassador Hotel.

"On April 30, after completion of the Sirhan trial and before Sirhan's sentencing, Dr. Noguchi learned he faced an added charge of 'erratic' behavior during the Kennedy autopsy.

"The specific new charge, now dropped, read:

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"During the Kennedy autopsy your (Noguchi's) eyes were glazed, your behavior was erratic and your dictation of the events surrounding the autopsy was so disassociated that it was all but unintelligible.'

"The charges said also that if two other physicians 'had not preserved extensive notes on the autopsy, it is doubtful that any autopsy report of scientific value could have been produced.

"Dr. (J.E.) Holloway (of Noguchi's office) specifically requested you (Noguchi) to catalogue and arrange in some logical order the working papers, photographs, etc.

"Dr. Holloway even volunteered his services to help you in this regard. To date, the working papers have not been catalogued or arranged in any logical order.'

"During the testimony of defense witness Richard H. Kottke, Dep. County Counsel Martin E. Weekes asked that the April 30 charge be dropped.

"The (county counsel's) department will stipulate this was a superior autopsy,' Weekes told commissioners."

Meanwhile, another Los Angeles newspaper (Times), reported that during the recess, Godfrey Issac, Noguchi's attorney, said Weekes told the commissioners at the bench he (Weekes) feared 'international repercussions' -- such as those which followed the autopsy of President Kennedy in 1963 -- would result from arguments over the charge.

Continued the newspaper's account:

"Issac said this was a 'ploy' on the part of Weekes to block evidence that Noguchi had actually performed the autopsy in a 'magnificent' manner.

"The lawyer said he would fight to make public at the hearing, through testimony by witnesses present at the autopsy, what went on at the senator's postmortem.

"But (Commission President O. Richard) Capen later said from the bench, 'We don't want to get into the autopsy of Sen. Kennedy, per se.'

"Issac -- again commenting during the recess -- said Noguchi performed in an exemplary manner during the autopsy, working for six straight hours while at the same time dictating his findings."

One of the witnesses for Noguchi, Dr. Cyril Wecht, chief forensic pathologist for Alleghany County (Pittsburgh), testified today that the Kennedy postmortem was "the most complete, thorough and medically extensive autopsy I have ever seen," according to the newspaper.

Continued the newspaper:

"He said he came to Los Angeles after the autopsy and was shown a 'rough draft' of the postmortem report.

"Wecht said he found the 'massive compendium of documents ...in very good order.'"

* * *

WEDNESDAY, MAY 28 -- Los Angeles County Dist. Atty. Evelle J. Younger, whose office prosecuted Sirhan B. Sirhan for the death

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of Sen. Robert F. Kennedy, held a press conference today and issued the following statement:

"Immediately following the assassination of Senator Robert F. Kennedy on June 5, 1968, this office and all law enforcement agencies in the investigation concluded that public interest and national security required an exhaustive inquiry into the circumstances of the offense and the background and associates of the defendant.

"Of particular concern was the possibility that the accused was a member of a conspiracy whose objectives were not satisfied by the elimination of one political leader. It was agreed that full disclosure of the results of the investigation should be available to the public at a time when the constitutional rights of the defendant could not be jeopardized by the attendant publicity.

"Under the direction of Chief of Detectives Robert A. Houghton, the Los Angeles Police Department established a special task force constituted of specially qualified detectives selected from the various divisions of the department.

"Special Unit Senator (SUS) was under the immediate supervision of Captain Hugh Brown and attained a maximum complement of 47 investigators assigned to three areas of investigation under the command of three experienced police lieutenants.

"No possible avenue of information was considered unworthy of investigation by SUS. Well in excess of 4,000 possible witnesses and others pretending to some knowledge of events bearing upon the crime were interviewed, investigated and reinterviewed by members of the unit.

"Agents of the F.B.I., acting independently, conducted a parallel investigation which, in addition to those persons contacted by the Los Angeles Police Department, included interviews with hundreds of individuals across the nation who were not easily accessible to local authorities.

"With the consent of the United States Attorney General, there was a mutual exchange of information between the Los Angeles Police Department and the F.B.I. investigative staffs. All results of the investigation were made available to the team of deputy district attorneys assigned to the preparation and presentation of the case.

"In many instances members of the District Attorney's Bureau of Investigation and certain deputies with specialized qualifications carried out investigative assignments under the direction of the prosecution team.

"The accumulated results of these investigative efforts were reviewed and evaluated by the attorneys assigned to the prosecution of the case. Where it appeared that information submitted might be of value to either the prosecution or defense of the accused, the prosecution team prepared individual files in anticipation of discovery motions by the defendant and for personal review by the District Attorney in regard to the witnesses who should be called to implement the case in chief for the prosecution.

"At the request of defense counsel, duplicates of more than 150 files containing interviews of potential witnesses were delivered on pretrial discovery motions. Included among these files were recorded

interviews of more than 70 persons who alleged to have observed the defendant at some time during the evening of June 4th and the early morning of June 5th at the Ambassador Hotel.

"Sixty-five witnesses were called by the prosecution to testify during the course of the trial. Their names are listed in "Appendix A" which is attached hereto. At the conclusion of the case the interviews with those witnesses who had not been called to testify by either party, comprising 199 in all, were filed with the Superior Court as Exhibits 84, 85, 86, 87, 88 and 115 to become a matter of public record.

"The names of these possible witnesses are listed in "Appendix B" attached hereto. The total number of witnesses called by both parties whose testimony proved pertinent to the issues of this lawsuit probably did not exceed 2% of the combined work product of the Los Angeles Police Department and the F.B.I.

"Among the records now on file are the assertions of a number of individuals who have attracted the attention of the news media with respect to the possibility of a conspiracy to effect the death of Senator Kennedy.

"Such allegations have been investigated in depth by the responsible law enforcement agencies and will continue to receive attention as new speculations arise.

"Illustrative of the conspiracy suggestions which have been publicized, investigated and discredited are the following:

"1. The Polka Dot Dress Girl

"A Miss Sandra Serrano, interviewed by Sandor Vanocur on television shortly after the assassination, reported that she had heard the gunshots in the pantry of the Ambassador Hotel and that shortly thereafter a girl in a polka dot dress passed her on an outside fire escape at the southwest end of the Embassy Ballroom shouting, "We shot him."

"At the time of the assassination over a thousand people were creating a tumult in the area between the pantry and the position on the fire escape where Miss Serrano claims to have been resting. Sound tests conducted by the Los Angeles Police Department at a time when the intervening area was deserted prove that the shots could not have been audible to Miss Serrano.

"When confronted with the prospect of a polygraph examination, Miss Serrano admitted that the report of the polka dot dress girl was pure fabrication on her part.

"Prior to her television interview, Miss Serrano had recounted her fictional observations to Vincent DiPierro who was present in the pantry at the time of the shooting. Mr. DiPierro incorporated this information into his account of an attractive girl in a polka dot dress who allegedly exchanged an inaudible word with the defendant just before he stepped from the tray rack in the pantry to shoot the Senator.

"On interrogation by officers of the Los Angeles Police Department, DiPierro admitted that he had embellished his statement at the suggestion of Sandra Serrano with whom he conversed at Rampart Station following her television interview.

"At the trial, the prosecution produced a witness, Miss Valerie Schulte, whose position in the pantry at the time of the shooting was in the direct line of vision between DiPierro and Sirhan and at least 10 feet distant from either. Miss Schulte was on crutches, and although clad in a black and yellow polka dot dress, has been completely absolved from any complicity in the assassination.

"One Pooker Griffin reported seeing a girl in a polka dot dress fleeing the pantry area immediately after the shooting and further asserted that the same girl had been observed by him in the company of the defendant prior to the assassination.

"When interrogated by investigators, Mr. Griffin stated that the girl fleeing the pantry wore a dress of more than one color -- not necessarily polka dots -- and admitted that she might well not have been the same girl whom he saw earlier in the evening. The lady, if she existed, cannot be connected with Sirhan Sirhan.

"2. Jose Duarte

"Mr. Duarte alleged that Sirhan attended a meeting of the Peace and Freedom Party on May 21, 1968. Duarte, an anti-Castro Cuban exile, asserted that as he addressed the pro-Castro audience, Sirhan engaged him in heated argument.

"It is estimated that between 40 and 45 persons attended the meeting. Of those in attendance, 37 have been identified and interviewed. Beside Duarte himself, only four of these individuals, who are known to be henchmen of Duarte's, identify Sirhan as the person in question.

"On Wilshire Boulevard Owen stopped at a hotel, later identified as the Ambassador, to permit Sirhan to visit a friend who was employed there. Owen allegedly dropped Sirhan off in the Hollywood area at about 6 p.m., having made an appointment to meet him at 11 p.m. the same evening to conclude the palomino purchase transaction.

"Sirhan either appeared or failed to appear, according to the state of Mr. Owen's memory.

"Mr. Owen recounted the events of his alleged contact with Sirhan Sirhan in three separate interviews with Los Angeles Police Department officers. Each version of the encounter was inconsistent in significant detail with the other versions.

"The last interview occurred on July 3, 1968, in San Francisco at the office of George T. Davis, whom Mr. Owen had retained as an attorney. Following this interview, Mr. Owen submitted to a polygraph examination conducted at the San Francisco Police Department.

"The results of the examination conclusively established, in the opinion of the examiner, that Owen was untruthful in identifying Sirhan as the hitchhiker to whom he had given a lift on June 3, 1968.

"Investigating officers contacted the proprietors and employees of several business establishments which Owen had allegedly visited just prior to, or during, the events in question. These interviews either failed to corroborate, or contradicted Owen's statements.

"A boxer under contract to Owen stated that Owen had picked him up at the Coliseum Hotel at 6:30 p.m. on the evening of June 3, 1968 to attend a social function and returned him to the hotel at 11:30 p.m. This information did not appear in any of Mr. Owen's several accounts and contradicts the allegation of an 11:00 p.m. appointment with Sirhan.

"Mary Sirhan, the mother of the defendant, recalled that her son was at home, watching television at 4:30 p.m. on the afternoon of June 3, 1968. To the best of her knowledge, Sirhan remained at home the entire evening.

"Although Mr. Owen professes to be a preacher of the gospel, there are a number of instances of his past conduct on the police blotters of several states that indicate a less than saintly reluctance to grasp certain opportunities which have been afforded him.

"The investigators have concluded that Mr. Owen concocted a bizarre tale in the expectation of some advantage from the attendant publicity.

"4. James W. Mundell

"Inexplicably, some speculation has arisen regarding the presence of James W. Mundell, a laicized priest, at the Ambassador Hotel on the night of the primary election.

"Mr. Mundell had been a classmate of Senator Kennedy's brother-in-law and through his association had been closely acquainted with Ethel Kennedy over a period of years. He attended the Senator's party in his 5th floor suite at the Ambassador Hotel, preceded the Senator to the Embassy Ballroom, and was not present in the pantry

at the time of the shooting.

"Mr. Mundell joined Mrs. Kennedy at the side of her husband after the shooting and followed the Senator to the Central Receiving Hospital by taxicab. For a brief period he was present in the emergency room where Senator Kennedy received initial treatment.

"When Mrs. Kennedy emerged from the emergency treatment room immediately prior to the transfer of the Senator to the Good Samaritan Hospital, she handed Mr. Mundell a bundle containing the Senator's clothing. Mr. Mundell delivered the bundle to Sgt. Swihart of the Los Angeles Police Department.

"Mr. Mundell was still a resident of Los Angeles when he was interviewed by the F.B.I. on September 30, 1968. He has since moved to the State of Washington. There is no evidence whatsoever that his presence at the scene of the assassination has sinister implications.

"5. Saidallah Sirhan

"Saidallah Sirhan, one of Sirhan B. Sirhan's older brothers, reported to the Pasadena Police Department in the early morning hours of July 3, 1968, that he had been fired upon by the occupant of a Volkswagon bus while northbound on the Pasadena Freeway within the city limits of the City of Pasadena.

"Examination of the vehicle driven by Saidallah disclosed two bullet holes in the right wind-wing. The bullets were recovered and ballistics examination revealed that they were fired from the same .38 revolver.

"Painstaking inquiry into the circumstances of this incident by the Pasadena Police Department failed to yield any clue as to the identity of the perpetrator. There is no evidence to suggest that the offense is in any way connected with the assassination of June 4, 1968.

"At this date, no credible evidence has been presented to any law enforcement agency concerned with the assassination of Senator Robert F. Kennedy which lends credence to the supposition that any person other than Sirhan B. Sirhan bears any criminal responsibility for that tragic event.

"My purpose in causing the work product obtained in the preparation of this case to become a matter of public record is to facilitate full disclosure as to all questions which may be the subject of legitimate public concern.

"To ensure the preservation of the exhibits received in evidence or marked for identification at this trial, pending the determination of the case on appeal, the Los Angeles County Clerk will prepare duplicate copies of documentary evidence and photographic representations of exhibits which will be available for inspection by interested members of the public at the Office of the County Clerk, Criminal Division, on the fourth floor of the Hall of Justice.

"Inspection of the original exhibits will be permitted by order of the Superior Court, for good cause shown.

"Duplicate copies of the exhibits on file may be obtained

by proper application to the County clerk by order of the Court upon payment of the fees provided by statute.

"The Los Angeles Police Department has agreed without reservation that the interests of the public and law enforcement are best served by full disclosure of the results of the comprehensive investigation which they have conducted.

"Los Angeles Chief of Police Roger Murdock will arrange that the Sirhan case record will be made available to the public to the fullest extent that security precautions and administrative resources will permit.

"In many respects the problems and pressures incident to the successful prosecution of People v. Sirhan are without parallel in the history of American jurisprudence. I would be remiss in my duty if I failed to acknowledge the splendid performances of the various agencies involved. This was a team effort.

"I congratulate the Los Angeles Police Department for an investigation without equal in magnitude and thoroughness.

"We also received invaluable assistance through the unstinting cooperation of the Federal Bureau of Investigation.

"The Sheriff of Los Angeles County established necessary security measures which were exercised with efficiency and discretion.

"I am grateful to the many members of the press corps for their objectivity in reporting the events of this trial and for their uncomplaining cooperation with the restrictions imposed by the "Order re Publicity."

"It was fitting that Judge Herbert V. Walker, the Dean of the Superior Court Criminal Bench, be selected to preside over this important case in order that the rights of the defendant and of the People be fully recognized and observed.

"Finally, I wish to commend the members of this community for their recognition that the tragedy which occasioned this trial should be dealt with in accordance with the highest standards of American justice."

Attached to the statement was a listing of 65 witnesses called by the prosecution to testify during the trial and the names of witnesses who did not testify.

Those who testified include the following:

Appendix A -- Dr. Stanley Abo, Larry Arnot, William Barry, V. Faustin Bazilauskas, William Burton Blume, William D. Brandt, Edward C. Buckner, Frank J. Burns, Jr., Robert L. Calkins, Henry Adrian Carreon, Everett A. Chamberlain, James E. Claborn, Alvin Clark, Humphrey Otto Cordero, Henry M. Cuneo, Miriam Davis, Angelo DiPierro, Vincent DiPierro, George C. Erhard, Elizabeth Evans, James D. Evans, Jack Gallivan, Ira Goldstein, Roosevelt Grier, Thomas T. Harris, Gordon R. Harrison, Alvin S. Hegge, Sarah Hertz, Rafer Johnson,

William C. Jordan, Richard F. Kline, Albert J. LaVallee, Dante Lodolo, Riley W. Maxwell, Adolph Melendres, Edward Minasian, David Montellano, George W. Murphy, Thomas T. Noguchi, Leonard B. Olinger, Frank Patchett, Martin Patrusky, Jesus Perez, James Pienda,

Arthur Placencia, George Plimpton, Seymour Pollack, William Price, Juan Romero, Judy Rober, Paul Schrade.

Valerie Schulte, Larry Sloan, Mike Soccoman, Harry C. Starr, Irwin Stroll, Karl Uecker, Jesse Unruh, William Weisel, Dana T. Westlake, Travis R. White, Claudia Williams, Ronald Glen Williams, DeWayne Wolfer, Thomas R. Young.

The names of those who did not testify include the following (Appendix B):

, Ambassador -- Richard Alvarez, Richard Aubry, Anthony Beilenson, Delores Beilenson (Mrs.), Lauri Margaret Berry, James (Jimmy) Breslin, Rae Bruce, Gonzalo Cetina Carrillo, Henry Carrillo, Robin Casden, Thane Cesar, Theodore R. Charach, Vicky Cuccia, Larry Dean, Andrew John Divyak, Dick Drayne, Richard Drew, Fred Dutton, Ralph Elmore, Albert Victor Ellis, Arthur W. Evans,

Gloria Farr, Mrs. Charles (Frances) Finley, Mrs. Jeffery (Margaret) Finley, Evan Phillip Freed, Richard Frick, Robert Funk, George Green, Booker Griffin, Virginia Guy, Pete Hamill, James Howard (Cap) Hardy, Robert Leo Healy, Thadis Heath, Barbara Holme, Robert Huntley, Larry Jackson, David Jayne, Gabor Kadar, Stanley Steven Kawalec, John A. Khoury, Joseph A. La Hive,

Mrs. Muriel C. Lee, Dafne Lewis, Suzanne Locke, Richard G. Lubic, Augustus Mallard, Frank Mankiewicz, Michael D. Marcus, Gary Marder, Blaise Max Minns, Barbara J. Murray, Dave Murray, Marcus McBroom,

Hugh McDonald, Mrs. Freddy Plimpton, John William Pullen,

Jennie Ranelle, Timothy Paul Rich, Walter G. Rich, Nelson Rising, Warren Rogers, Richard Rosen, Barbara Rubin, Norbert Schlei, Sandra Serrano.

Acqueline Sullivan, Frans Stalpers, Uno Timanson, Robert A. Toigo, Alvin Tokunow, Richard Tuck, Bradley Unruh, Sandor Vanocur, Michael Wayne, Andrew West, Earl C. Willaman, James S. Wilson, Kristi Witker, Jules J. Witcober, Boris Yaro, Niwa Yoshio.

Background -- Abrahma Alex, Marof Mohammed Badrah, Jess P. Buckles, Jack Davies, Donald N. Day (Sgt.), John D. Dill, Martin R. Dismukes, Frank Donnoraua, (aka H. R. Ramistella), Retta Drake, L. R. Edelman, Irene Fetherston, Sherwood Fineberg (M.D.), Kasper Fuchs (M.D.).

Ivan Garcia, John C. Garner (M.D.), John Glenn Gearhart, David S. Greenberg, Jeannie Greene (Van Antwerp), Gwendalee Gumm (Gwen), Michael F. Haggerty, Jerrold Bryon Hemingway, Jeanne S. Herrick, W. E. Hogue.

Milton Holmes, Merton W. Howe, Robert Hulsman, Abdo Jabra Malki, Gaymoard Mistri, Leslie Koltai, Bert Morse, Roderick McKay, Melvin R. Olson, Peggy Osterkamp, Marion Pearse.

Henry F. Peters, Anwar Musa Sayegh, Ron Smith, Anna Sylvan, Genevieve Taylor, Edward Van Antwerp, John H. Weidner, Terry Mickey Welsh, Don Weston.

Medical -- Burt C. Altfillisch, Maxwell M. Andler (M.D.), Eugene H. Austin, Max Alma Behrmann, Roland Dean, (M.D.), Guadalupe De La Garza, Louis R. Estrella, Frank A. Foster, Lawrence Heinemann,

Albert C. Holt (M.D.), Paul Ironside (M.D.), E. N. Kamidoi, Patricia Kramer, Robert W. Levingston, Robert E. Levis (M.D.), Milton Miller (M.D.), Herbert McRoy, Maurice W. Nugent (M.D.), Miss Deyce Pine, James L. Poppen (M.D.), Donald Claus Rus, John D. Rutledge (M.D.), Millard Sheets, Earle C. Skinner, (M.D.), Albert Tashma (M.D.), Richard Blaire Walker, William Walker White, Jr., Leonard J. Yamshon (M.D.).

• Miscellaneous -- John G. Christian, Walter S. Crowe, Jr., Jose A. Duarte, John Fahey, Robert Gindroz, Golden Garter (Alhambra), Khaibar Khan, Robbie's Restaurant (Pomona), Jerry Owen.

Range -- Charlie Altenbaugh, William Atalic, Jesse Cardona, Corliss Edwards, Robert E. Edwards, Thomas A. Farrell, Rent C. Foss, Maynard Goodell, Richard Grijalva, Roberta Grijalva, Lloyd Hager.

Leland B. Hanson, Parker Haraden, Harry Hicks, Mike Roy Holgate, Charles Jenkins, Charles Kendall, Harry Lee, Gilbert Leos.

Charles M. Millner, Jr., George S. Mioch, Mara Mioch, Grove McChesney, Dean Pack, M. R. Rentz, James F. Ripp, Kenneth Richard Sem, Les Smootz.

Richard Steward, Marion Henry Stipp, Joseph Tescher, Margie Thorn, James J. Thornbrugh, Ben Trower, Orie Trout, Russell Doyle Weaver, Robert White.

A Los Angeles newspaper (Times) reported on the press conference as follows:

"There is no credible evidence to support a conspiracy theory in the assassination of Sen. Robert F. Kennedy, Dist. Atty. Evelle J. Younger said Wednesday.

"He also labeled as 'absurd' defense charges that his office reneged on an agreement not to seek the death penalty for Sirhan B. Sirhan and he described as 'over-kill' defense psychiatric testimony during the trial.

"Law enforcement agencies, including the Los Angeles police, FBI and his office, reached the conclusion that there was no conspiracy on the basis of more than 4,000 interviews of possible witnesses to any of the events which might have had some bearing on the slaying,, Younger explained."

The district attorney told the press, radio and TV representatives that he could not comment on the case until now because of a court-imposed "gag" order, the newspaper related.

Continued the newspaper:

"Younger said the possibility that Sirhan was 'a member of a conspiracy whose objectives were not satisfied by the elimination of one political leader' became a concern immediately following the shooting of Sen. Kennedy.

"No possible avenue of information, he said, was considered unworthy of investigation. Every allegation of a possible conspiracy was investigated in depth and will continue to be as they arise in the future. Younger added.

"He noted that the information presented during the trial by both the prosecution and defense did not exceed 2% of the combined work product of the police and FBI investigators.

"So that any doubting members of the public can satisfy themselves with the finding that Sirhan acted alone, a full disclosure of the results of the investigation will be made available 'now that the constitutional rights of (Sirhan)' cannot be jeopardized by publicity, Younger said.

"Commenting on the prosecution of Sirhan, Younger said, 'It proved that our system of justice works.'

"The prosecution was willing to enter into so-called plea-bargaining negotiations early in the case, Younger explained, because at that time 'it was my opinion and that of highly competent men on my staff' that the jury would not render a death verdict.

"This, he said, was based primarily on the findings of the prosecution psychiatrist.

"They did not at the time have the complete reports of defense psychiatrists and had no way of knowing then that defense psychiatric testimony -- which he said included 'far-reaching and absurd propositions' -- would turn out to be as disastrous as it was, he said.

"Younger said the jury arrived at the proper verdict and he committed his office to doing all it could to sustain the death penalty in the case.

"It was not unusual for the prosecution to contact the Kennedy family regarding handling of the case, Younger said, because his deputies often consult with interested parties, particularly the

families of victims, to determine how they will react to proposed dispositions.

"He said he believed it is a good policy to allow members of a victim's family to express their opinion on the outcome of any case in which they have an interest.

"Asked if he thought Sirhan would ever be executed, Younger replied, 'You know the track record on that as well as I do.'

"He said, however, he did not anticipate that the appellate courts would find any deficiency in either the trial or the conviction of Sirhan.

"In answer to a question regarding the role of former Coroner Thomas Noguchi in the case, Younger said he is satisfied that the autopsy on Sen. Kennedy was conducted in a proper manner.

"The problems and pressures incidental to the successful prosecution of Sirhan in many respects were without parallel in the history of American jurisprudence, according to Younger."

Concerning psychiatric testimony, another newspaper (Hollywood Citizen-News) reported as follows:

"The district attorney reminded newsmen, 'You've heard the jurors' comment on the nature and quality of that testimony — I need not comment further.'

"One juror, interviewed after the jury brought in the death penalty, said he thought the psychiatric testimony 'stunk.'"

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THURSDAY, MAY 29 -- The Los Angeles Police Department went on record today at a press conference in support of Los Angeles County Dist. Atty. Evelle J. Younger's declaration yesterday that no credible evidence exists that Sen. Robert F. Kennedy's assassination resulted from a conspiracy, reported a Los Angeles newspaper (Times).

Continued the newspaper's report on the department's press conference:

"'We have not discovered any concrete or specific information' that Sirhan B. Sirhan was 'influenced by any individual,' Dep. Chief Robert Houghton, who was in charge of the police investigation of the shooting, said."

Meanwhile, another Los Angeles newspaper (Herald-Examiner) related that investigation of the assassination "led Los Angeles police to new dimensions in homicide inquiry."

The new techniques were outlined by Houghton, Acting Police Chief Roger Murdock and Capt. Hugh Brown, commander of the homicide division.

According to the newspaper's account, the new techniques include:

"A time chart to provide officers a quick visual check of where a suspect was and at what time.

"Adoption of administrative charts to show progress of the investigation and indicate necessary shifts in personnel to meet court deadlines.

"Charting the investigation in categories -- such as Sirhan's education and his home environment.

"Houghton said the investigation is the basis of a manual now being prepared for the department for setting up an emergency task force should a similar case occur.

"The deputy chief said his men traveled 'all over the United States' to carry out the investigation but did not go outside the country."

The same newspaper published an Associated Press story quoting Arthur J. Goldberg, former U.S. ambassador to the United Nations, as stating, "The taking of a life does not and will not accomplish a thing."

Continued AP:

"With this statement, Goldberg revealed he asked California Gov. Ronald Reagan to commute the death sentence for the convicted slayer of Sen. Kennedy."

Goldberg, a former associate justice of the U.S. Supreme Court, said the letter to the governor was similar to one Sen. Edward M. Kennedy, the dead senator's brother, sent to Dist. Atty. Younger.

* * *

SATURDAY, MAY 31 -- Sirhan B. Sirhan is reading quite a bit and seems in good spirits, according to one of his attorneys, Russell Parsons, who was quoted in a Los Angeles newspaper (Times).

Continued the newspaper:

"Parsons said he gave Sirhan several legal documents to study in connection with the appeal of the death sentence handed

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down by a Los Angeles jury May 21 in the murder of Sen. Robert F. Kennedy.

"He knows we have a long fight ahead and is quite satisfied we will make eventual headway,' the lawyer said."

Parsons was the first visitor to the convicted assassin, who is now in San Quentin's Death Row.

* * *

SUNDAY, JUNE 1 -- The youngest brother of Sirhan B. Sirhan was permitted to visit the convicted killer of Sen. Robert F. Kennedy in a special interview cell at San Quentin's Death Row today, according to a United Press International story in a Los Angeles newspaper (Herald-Examiner).

However, officials at the prison refused to allow attorney Melvin Belli to accompany Munir Sirhan, 21, during the interview.

Another Los Angeles newspaper (Times), published an Associated Press story indicating that Belli was "turned down on two grounds." According to Philip Manriquez, administrative officer, Belli hadn't received required advance approval and authorities felt it was not proper to let Belli become involved with the prisoner without knowledge of Sirhan's regular attorneys.

Reported AP:

"Belli had said he was entering the case in connection with the death penalty appeal at the request of Sirhan's mother and brothers."

Noted UPI:

"Belli said he was hired by Sirhan's mother to work on overturning her son's death penalty.

"I was asked to work on the matter because of my known opposition to the death penalty,' Belli said."

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